

STATE OF UTAH  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

FORM 3

AMENDED REPORT ☐  
(highlight changes)

APPLICATION FOR PERMIT TO DRILL

1A. TYPE OF WORK: DRILL <input checked="" type="checkbox"/> REENTER <input type="checkbox"/> DEEPEN <input type="checkbox"/>		5. MINERAL LEASE NO: <b>14-20-H62-4825</b>	6. SURFACE: <b>INDIAN</b>
B. TYPE OF WELL: OIL <input checked="" type="checkbox"/> GAS <input type="checkbox"/> OTHER _____ SINGLE ZONE <input checked="" type="checkbox"/> MULTIPLE ZONE <input type="checkbox"/>		7. IF INDIAN, ALLOTTEE OR TRIBE NAME: <b>UTE</b>	
2. NAME OF OPERATOR: <b>BERRY PETROLEUM COMPANY</b>		8. UNIT or CA AGREEMENT NAME: <b>UTU-76965</b>	
3. ADDRESS OF OPERATOR: <b>RT. 2 BOX 7735</b> CITY <b>ROOSEVELT</b> STATE <b>UTAH</b> ZIP <b>84066</b>		9. WELL NAME and NUMBER: <b>UTE TRIBAL S-21-55</b>	
4. LOCATION OF WELL (FOOTAGES) <b>547071X 4430774Y 40.027804 - 110.448354</b> AT SURFACE: <b>1060' FSL, 1611' FEL</b> AT PROPOSED PRODUCING ZONE: <b>SAME AS ABOVE</b>		10. FIELD AND POOL, OR WILDCAT: <b>BRUNDAGE CANYON</b> <input checked="" type="checkbox"/> 11. QTR/QTR, SECTION, TOWNSHIP, RANGE, MERIDIAN: <b>(SW/SE) SEC. 21, T.5S., R.5W. U.S.B.&amp;M.</b>	
14. DISTANCE IN MILES AND DIRECTION FROM NEAREST TOWN OR POST OFFICE: <b>31.1 MILES FROM MYTON, UTAH</b>		12. COUNTY: <b>DUCHESNE</b>	13. STATE: <b>UTAH</b>
15. DISTANCE TO NEAREST PROPERTY OR LEASE LINE (FEET) <b>1060'</b>	16. NUMBER OF ACRES IN LEASE: <b>640</b>	17. NUMBER OF ACRES ASSIGNED TO THIS WELL: <b>40</b>	
18. DISTANCE TO NEAREST WELL (DRILLING, COMPLETED, OR APPLIED FOR) ON THIS LEASE (FEET) <b>1000'</b>	19. PROPOSED DEPTH: <b>6030'</b>	20. BOND DESCRIPTION: <b>RLB0005651</b>	
21. ELEVATIONS (SHOW WHETHER DF, RT, GR, ETC.): <b>7255' GR</b>	22. APPROXIMATE DATE WORK WILL START: <b>REFER TO BPC SOP PLAN</b>	23. ESTIMATED DURATION: <b>REFER TO BPC SOP PLAN</b>	

24.

PROPOSED CASING AND CEMENTING PROGRAM

SIZE OF HOLE	CASING SIZE, GRADE, AND WEIGHT PER FOOT	SETTING DEPTH	CEMENT TYPE, QUANTITY, YIELD, AND SLURRY WEIGHT
REFER TO BERRY PETROLEUM COMPANY SOP'S DRILLING PROGRAM/CASING DESIGN			

25.

ATTACHMENTS

VERIFY THE FOLLOWING ARE ATTACHED IN ACCORDANCE WITH THE UTAH OIL AND GAS CONSERVATION GENERAL RULES:

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> WELL PLAT OR MAP PREPARED BY LICENSED SURVEYOR OR ENGINEER     | <input checked="" type="checkbox"/> COMPLETE DRILLING PLAN (BPC SOP ON FILE WITH STATE)      |
| <input checked="" type="checkbox"/> EVIDENCE OF DIVISION OF WATER RIGHTS APPROVAL FOR USE OF WATER | <input type="checkbox"/> FORM 5, IF OPERATOR IS PERSON OR COMPANY OTHER THAN THE LEASE OWNER |

NAME (PLEASE PRINT) SHELLEY E. CROZIER TITLE REGULATORY & PERMITTING SPECIALIST  
SIGNATURE *Shelley E. Crozier* DATE 08/13/07

(This space for State use only)

API NUMBER ASSIGNED: 43-013-33746

(11/2001)

Federal Approval of this  
Action is Necessary

(See Instructions on Reverse Side)

Approved by the  
Utah Division of  
Oil, Gas and Mining  
APPROVAL:  
Date: 08-29-07  
By: *[Signature]*

RECEIVED  
AUG 20 2007  
DIV. OF OIL, GAS & MINING

T5S, R5W, U.S.B.&M.

# BERRY PETROLEUM COMPANY

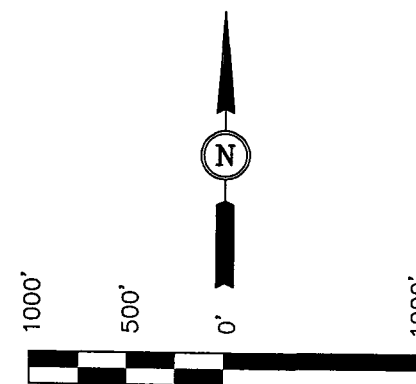
Well location, UTE TRIBAL #S-21-55, located as shown in the SW 1/4 SE 1/4 of Section 21, T5S, R5W, U.S.B.&M., Duchesne County, Utah.

## BASIS OF ELEVATION

BENCH MARK (M67) LOCATED IN THE SW 1/4 OF SECTION 9, T5S, R4W, U.S.B.&M., TAKEN FROM THE DUCHESNE SE QUADRANGLE, UTAH, DUCHESNE COUNTY, 7.5 MINUTE QUAD. (TOPOGRAPHIC MAP) PUBLISHED BY THE UNITED STATES DEPARTMENT OF THE INTERIOR, GEOLOGICAL SURVEY. SAID ELEVATION IS MARKED ON CAP AS BEING 6097 FEET.

## BASIS OF BEARINGS

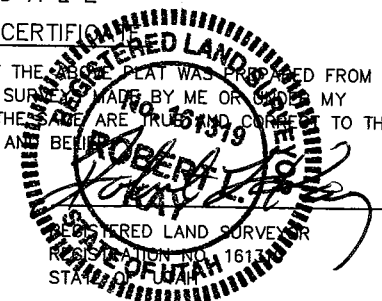
BASIS OF BEARINGS IS A G.P.S. OBSERVATION.



SCALE

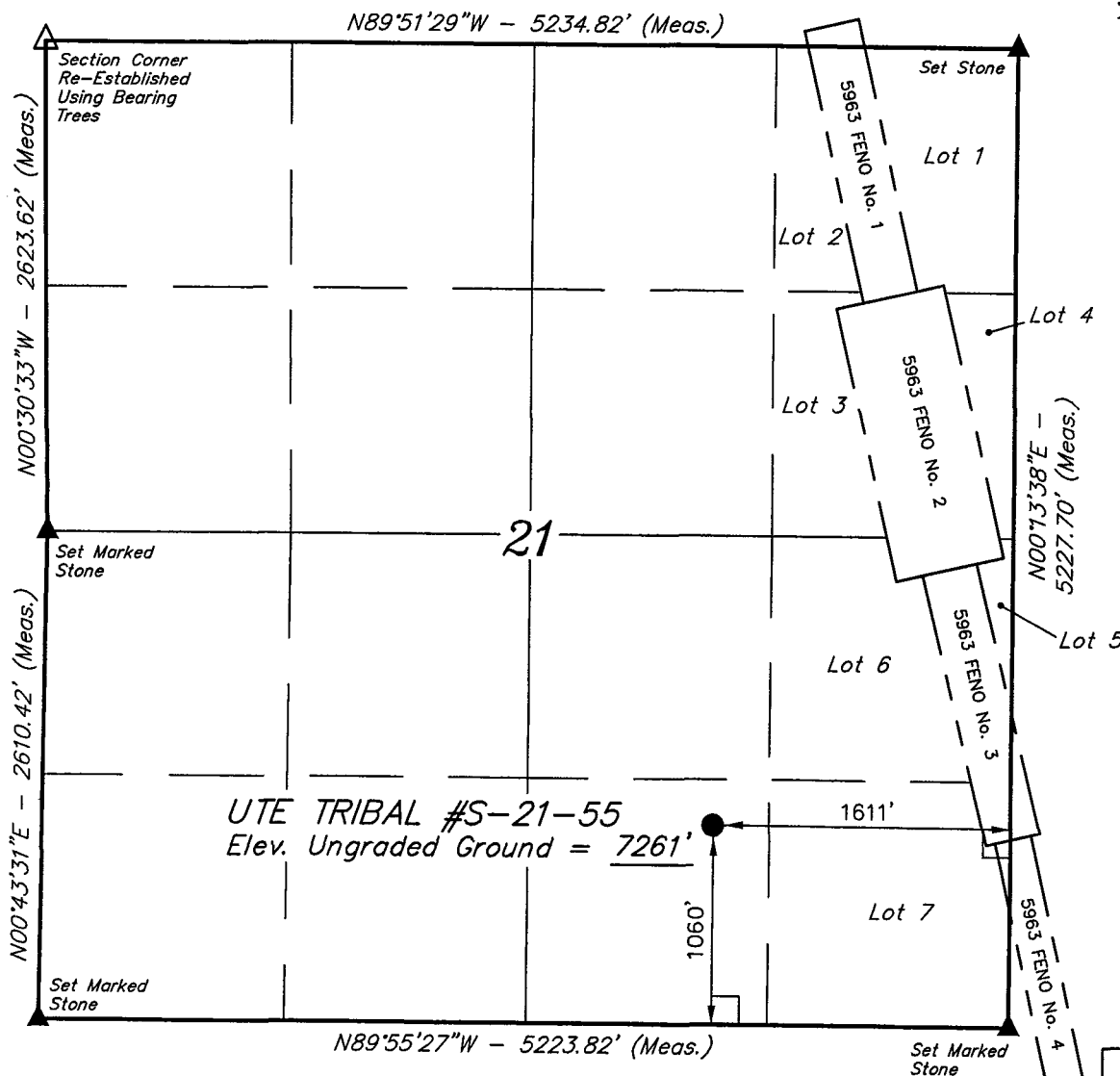
CERTIFICATE

THIS IS TO CERTIFY THAT THE ABOVE PLAT WAS PREPARED FROM FIELD NOTES OF ACTUAL SURVEY MADE BY ME OR UNDER MY SUPERVISION AND THAT THESE ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.



**UINTAH ENGINEERING & LAND SURVEYING**  
85 SOUTH 200 EAST - VERNAL, UTAH 84078  
(435) 789-1017

SCALE 1" = 1000'	DATE SURVEYED: 12-20-06	DATE DRAWN: 05-11-07
PARTY S.H. T.P. P.M.	REFERENCES G.L.O. PLAT	
WEATHER COLD	FILE BERRY PETROLEUM COMPANY	



## LEGEND:

└ = 90° SYMBOL

● = PROPOSED WELL HEAD.

▲ = SECTION CORNERS LOCATED.

△ = SECTION CORNERS RE-ESTABLISHED. (Not Set On Ground)

(NAD 83)

LATITUDE = 40°01'39.96" (40.027767)

LONGITUDE = 110°26'55.67" (110.448797)

(NAD 27)

LATITUDE = 40°01'40.10" (40.027806)

LONGITUDE = 110°26'53.12" (110.448089)

SELF-CERTIFICATION STATEMENT

The following self-certification statement is provided per federal requirements dated March 7, 2007.

Please be advised that Berry Petroleum Company is considered to be the operator of the following well.

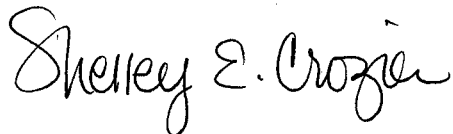
Ute Tribal S-21-55

SW 1/4, SE 1/4, 1060' FSL 1611' FEL, Section 21, T. 5 S., R. 5 W., U.S.B. & M.

Lease BIA 14-20-H62-4825

Duchesne, County, Utah

Berry Petroleum Company is responsible under the terms of the lease for the operations conducted upon the lease lands.



Shelley E. Crozier  
Regulatory & Permitting Specialist  
Berry Petroleum Company  
4000 South 4028 West  
Route 2, Box 7735  
Roosevelt, Utah 84066  
435-722-1325

BERRY PETROLEUM COMPANY

Ute Tribal S-21-55

Surface location SW 1/4, SE 1/4, 1060' FSL 1611' FEL, Section 21, T. 5 S., R. 5 W., U.S.B. & M.  
Duchesne County, Utah

ONSHORE ORDER NO. 1

DRILLING PROGRAM

**1,2 Estimated Tops of Geological Markers and Formations Expected to Contain Water, Oil and Gas and Other Minerals**

<u>Formation</u>	<u>Depth</u>
Uinta	Surface
Green River	1,449'
Green River Upper Marker	2,020'
Mahogany	2,616'
Tgr3 Marker	3,653'
Douglas Creek	4,411'
*Black Shale	5,052'
*Castle Peak	5,326'
Uteland Butte Ls.	5,734'
Wasatch	5,928'
TD	6,030'
Base of Moderately Saline Water (less than 10,000 ppm)	7,312'

\*PROSPECTIVE PAY

**3 Pressure Control Equipment**

PLEASE REFER TO BERRY PETROLEUM COMPANY STANDARD OPERATING  
PROCEDURE (SOP VERSION: SEPTEMBER 21, 2006).

**4 Proposed Casing and Cementing Program**

PLEASE REFER TO BERRY PETROLEUM COMPANY STANDARD OPERATING  
PROCEDURE (SOP VERSION: SEPTEMBER 21, 2006).

**5 Drilling Fluids Program**

PLEASE REFER TO BERRY PETROLEUM COMPANY STANDARD OPERATING  
PROCEDURE (SOP VERSION: SEPTEMBER 21, 2006).

**6 Evaluation Program**

PLEASE REFER TO BERRY PETROLEUM COMPANY STANDARD OPERATING  
PROCEDURE (SOP VERSION: SEPTEMBER 21, 2006).

Berry Petroleum Company  
Drilling Program  
Ute Tribal S-21-55  
Duchesne County, Utah  
Page Two

**7 Abnormal Conditions**

PLEASE REFER TO BERRY PETROLEUM COMPANY STANDARD OPERATING  
PROCEDURE (SOP VERSION: SEPTEMBER 21, 2006).

**8 Anticipated Starting Dates and Notification of Operations**

PLEASE REFER TO BERRY PETROLEUM COMPANY STANDARD OPERATING  
PROCEDURE (SOP VERSION: SEPTEMBER 21, 2006).

**9 Other information**

PLEASE REFER TO BERRY PETROLEUM COMPANY STANDARD OPERATING  
PROCEDURE (SOP VERSION: SEPTEMBER 21, 2006).

BERRY PETROLEUM COMPANY  
Ute Tribal S-21-55  
Surface location SW 1/4, SE 1/4, 1060' FSL 1611' FEL, Section 21, T. 5 S., R. 5 W., U.S.B. & M.  
Duchesne County, Utah

ONSHORE ORDER NO. 1

MULTI POINT SURFACE USE & OPERATIONS PLAN

**1 Existing Roads**

To reach the Berry Petroleum Company well, Ute Tribal S-21-55 location, in Section 21-T5S-R5W:

Start in Myton, Utah. Proceed west on US Highway 40, 8.6 miles to the Antelope Creek/Sowers Canyon Road at the Bridgeland turnoff. Turn south and proceed southwest 16.5 miles. Turn north and proceed north 0.5 miles to the Cottowood Ridge Road and then west and south 4.2 miles. Follow the road around north and then heading northeast proceed 1.2 miles to the Ute Tribal S-21-55 access road. Proceed northeast 0.1 +/- miles to the Ute Tribal S-21-55 location.

The existing oilfield service road may need some surface material to prevent or repair holes in the road due to heavy truck traffic during the drilling and completion operation. If repairs are made the operator will secure material from private sources.

Please see the attached map for additional details.

**2 Planned Access Road**

See Topographic Map "B" for the location of the proposed access road.

**3 Location of Existing Wells**

See Topographic Map "C" for the location of existing wells within a 1 mile radius.

**4 Location of Tank Batteries, Production Facilities and Production Gathering and Service Lines**

PLEASE REFER TO BERRY PETROLEUM COMPANY STANDARD OPERATING PROCEDURE (SOP VERSION: SEPTEMBER 21, 2006).

**5 Location and Type of Water Supply**

Water for the drilling and completion will be pumped or trucked from the Berry source wells located in Sec. 23, T5S, R5W or Sec. 24, T5S, R5W, permit # 43-11041, or from Duchesne City Culinary Water Dock located in Sec. 1, T4S, R5W or from East Duchesne Water, Arcadia Feedlot, Sec. 28, T3S, R3W or Myton (Moon) Pit, SE/NE Sec. 27, T3S, R2W or from Petroglyph Operating Company 08-04 Waterplant, Sec. 8, T5S, R3W or from Kenneth V. & Barbara U. Richens source well located in Sec. 34, T3S, R2W, permit # 43-1723 or Brundage Canyon Field produced water or Leo Foy source well located in Sec. 34, T5S, R5W, permit # 43-11324. A water use agreement is also in place with the Ute Tribe.

**6 Source of Construction Materials**

PLEASE REFER TO BERRY PETROLEUM COMPANY STANDARD OPERATING PROCEDURE (SOP VERSION: SEPTEMBER 21, 2006).

**7 Methods of Handling Waste Materials**

PLEASE REFER TO BERRY PETROLEUM COMPANY STANDARD OPERATING PROCEDURE (SOP VERSION: SEPTEMBER 21, 2006).

**8 Ancillary Facilities**

PLEASE REFER TO BERRY PETROLEUM COMPANY STANDARD OPERATING PROCEDURE (SOP VERSION: SEPTEMBER 21, 2006).

**9 Wellsite Layout**

The attached Location Layout diagram describes drill pad cross-sections, cuts and fills, and locations of the mud tanks, reserve pit, pipe racks, trailer parking, spoil dirt stockpile(s) and surface material stockpile(s)

**10 Plans for Restoration of the Surface**

PLEASE REFER TO BERRY PETROLEUM COMPANY STANDARD OPERATING PROCEDURE (SOP VERSION: SEPTEMBER 21, 2006). If an Archaeological Study is preformed, all seed mixture will match Archaeological recommendation.

**11 Surface Ownership**

Ute Indian Tribe

**12 Other information**

PLEASE REFER TO BERRY PETROLEUM COMPANY STANDARD OPERATING PROCEDURE (SOP VERSION: SEPTEMBER 21, 2006).

**13 Operator's Representative and Certification**

A) Representative  
  
NAME: Shelley E. Crozier  
  
ADDRESS: Berry Petroleum Company  
4000 South 4028 West  
Route 2, Box 7735  
Roosevelt, Utah 84066  
  
PHONE: 435-722-1325

All lease and/or unit operations will be conducted in such a manner that full compliance is made with all applicable laws, regulations and onshore oil and gas orders. The operator is fully responsible for the actions of its subcontractors. A copy of these conditions will be furnished to the field representative to ensure compliance.

The drilling permit will be valid for a period of one year from the date of approval. After permit termination, a new application will be filed for approval for any future operations.

**B) Certification:**

I hereby certify that I, or persons under my direct supervision, have inspected the proposed drillsite and access route; that I am familiar with the conditions which presently exist; that the statements made in this plan are, to the best of my knowledge and belief, true and correct; and that the work associated with the operations proposed herein will be performed by Berry Petroleum Company and its contractors and subcontractors in conformity with this plan and the terms and conditions under which it is approved. This statement is subject to the provisions of 18 U.S.C. 1001 for the filing of a false statement.

August 13, 2007  
DATE

Shelley E. Crozier  
Shelley E. Crozier  
Regulatory & Permitting Specialist  
Berry Petroleum Company



## APPLICATION FOR GRANT OF CORRIDOR RIGHT-OF-WAY

BERRY PETROLEUM COMPANY, having a resident or principal place of business at Route 2 Box 7735, Roosevelt, Utah, 84066, hereby files an application with the Bureau of Indian Affairs, pursuant to the terms and provisions of the Act of February 5, 1948 (62 Stat. 17; 25 U.S.C. 323), and to the regulations of the Department of the Interior contained in Title 25, Code of Federal Regulations, Part 169, for the grant of a Right-of-Way for the following purposes and reasons:

To construct a Drill Site & Corridor Right-of-Way for the UTE TRIBAL #16-21D-55 & #S-21-55

Across the following described Indian Lands SW 1/4 SE 1/4 OF SECTION 21, T5S, R5W, U.S.B.&M.

Drill Site = 2.268 Ac.

Corridor R-O-W = 0.404 Ac.  
(Access Road & Pipeline)

Total Acreage = 2.672 Acres

### 4" to 6" SDR-11 POLY PIPELINE

Said Right-of-Way to be approximately 586.53 feet in length, 30 feet in width, and 0.404 Acres, and

more particularly described and shown on the map of definite location to be attached and made a part hereof.

The applicant understands and hereby expressly agrees to the following stipulations:

- (a) To construct and maintain the Right-of-Way in a workmanlike manner.
- (b) To pay promptly all damages and compensation, in addition to the deposit made pursuant to 169.4 determined by the Secretary to be due the landowners and authorized users and occupants of the land on account of the survey, granting, construction and maintenance of the Right-of-Way.
- (c) To indemnify the landowners and authorized users and occupants against any liability for loss of life, personal injury and property damage arising from the construction, maintenance, occupancy or use of the lands by the applicant, his employees, contractors and their employees or subcontractors and their employees.
- (d) To restore the lands as nearly as may be possible to their original condition upon the completion of the construction to the extent compatible with the purpose for which the Right-of-Way was granted.
- (e) To clear and keep clear the lands within the Right-of-Way to the extent compatible with the purpose of the Right-of-Way; and to dispose of all vegetative and other material cut, uprooted, or otherwise accumulated during the construction and maintenance of the project.
- (f) To take soil and resource conservation and protection measures, including weed control, on the land covered by the Right-of-Way.

- (g) To do everything reasonable within its power to prevent and suppress fires on or near the lands to be occupied under the Right-of-Way.
- (h) To build and repair such roads, fences, and trails as may be destroyed or injured by construction work and to build and maintain necessary and suitable crossings for all roads and trails that intersect the works constructed, maintained, or operated under the Right-of-Way.
- (I) That upon revocation or termination of the Right-of-Way, the applicant shall, so far as is reasonably possible, restore the land to its original condition.
- (j) To at all times keep the Secretary informed of its address, and in case of corporations of the address of its principal officers.
- (k) That the applicant will not interfere with the use of the lands by or under the authority of the landowners for any purpose not inconsistent with the primary purpose for which the Right-of-Way is granted.

IN WITNESS THEREOF, BERRY PETROLEUM COMPANY. has caused this instrument to

be executed this 27 day of July, 2007.

Amy Henline  
WITNESS

Margaret Hayes  
WITNESS

**BERRY PETROLEUM COMPANY**  
APPLICANT

Ed Courtright  
Ed Courtright/Production Foreman  
Route 2 Box 7735  
Roosevelt, Utah 84066  
Phone:(435)722-1325

**SUPPORTING DOCUMENTS:**

- ( ) Written consent of the landowners.
- ( ) Evidence of good faith and financial responsibility.
- (x) \$0 as per the terms of the Exploration and Development Agreement (14-20-H62-4728)
- ( ) State certified copy of corporate charter or articles of corporation.
- ( ) Certified copy of resolution or bylaws of the corporation authorizing the filing of the stipulation
- ( ) State certification that the applicant is authorized to do business in the State where the land is located.
- ( ) Certified copy of the articles of partnership or association.
- (x) Map of definite location.
- ( ) Other:

NW 1/4

NE 1/4 Lot 3

NE Cor. Sec. 21,  
Set Stone

5963 FENO No. 2

Lot 5

5963 FENO No. 3

N00°13'38"E - 5227.70' (Meas.)

Sec. 21

## CORRIDOR RIGHT-OF-WAY DESCRIPTION

A 30' WIDE RIGHT-OF-WAY 15' ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE.

BEGINNING AT A POINT IN THE SW 1/4 SE 1/4 OF SECTION 21, T5S, R5W, U.S.B.&M., WHICH BEARS N75°19'49"W 2240.86' FROM THE SOUTHEAST CORNER OF SAID SECTION 21, THENCE N43°49'42"E 253.39'; THENCE N43°34'27"E 124.44'; THENCE N35°38'34"E 173.04'; THENCE N53°59'21"E 35.66' TO A POINT IN THE SW 1/4 SE 1/4 OF SAID SECTION 21, WHICH BEARS N60°34'49"W 2039.95' FROM THE SOUTHEAST CORNER OF SAID SECTION 21. THE SIDE LINES OF SAID DESCRIBED RIGHT-OF-WAY BEING SHORTENED OR ELONGATED TO MEET THE GRANTOR'S PROPERTY LINES. BASIS OF BEARINGS IS A G.P.S. OBSERVATION. CONTAINS 0.404 ACRES MORE OR LESS.

1/4 Section Line

Lot 6

NOTE:

BEGINNING STA. 0+00 BEARS N75°19'49"W 2240.86' FROM THE SOUTHEAST CORNER OF SECTION 21, T5S, R5W, U.S.B.&M.

END STA. 5+86.53 BEARS N60°34'49"W 2039.95' FROM THE SOUTHEAST CORNER OF SECTION 21, T5S, R5W, U.S.B.&M.

END OF PROPOSED  
CORRIDOR RIGHT-OF-WAY  
STA. 5+86.53  
(At Edge of Damage Area)

SW 1/4

SE 1/4

1/16 Section Line

Ute  
Tribal

DAMAGE AREA UTE TRIBAL  
#16-21D-55 & #S-21-55  
Contains 2.268 Acres

BEGINNING OF PROPOSED  
CORRIDOR RIGHT-OF-WAY  
STA. 0+00  
(At Edge of Damage Area  
for the #15-21-55)

Exist. Loc.  
#15-21-55SW Cor. Sec. 21,  
Set Marked Stone

N89°55'27"W - 5223.82' (Meas.)

## BASIS OF BEARINGS

BASIS OF BEARINGS IS A G.P.S. OBSERVATION.

▲ = SECTION CORNERS LOCATED.

## RIGHT-OF-WAY LENGTHS

PROPERTY OWNER	FEET	ACRES	RODS
UTE TRIBAL	586.53	0.404	35.55

## LINE TABLE

LINE	BEARING	LENGTH
L1	N43°49'42"E	253.39'
L2	N43°34'27"E	124.44'
L3	N35°38'34"E	173.04'
L4	N53°59'21"E	35.66'
L5	N24°49'49"W	107.78'
L6	N65°10'11"E	380.00'
L7	S24°49'49"E	260.00'
L8	S65°10'11"W	380.00'
L9	N24°49'49"W	152.22'

Section Line

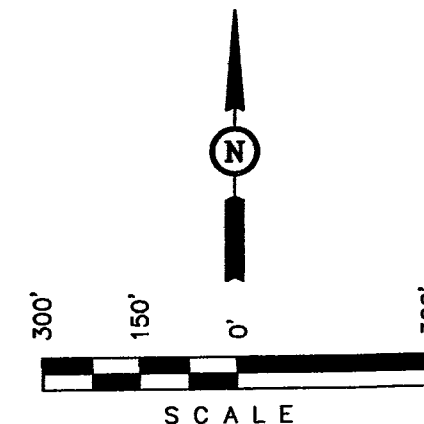
Set Marked Stone

BERRY PETROLEUM COMPANY

LOCATION DAMAGE AREA &  
CORRIDOR RIGHT-OF-WAY  
ON UTE TRIBAL LANDS

(For UTE TRIBAL  
#16-21D-55 & #S-21-55)

LOCATED IN  
SECTION 21, T5S, R5W, U.S.B.&M.,  
DUCHESNE COUNTY, UTAH



## DAMAGE AREA DESCRIPTION

BEGINNING AT A POINT IN THE SW 1/4 SE 1/4 OF SECTION 21, T5S, R5W, U.S.B.&M., WHICH BEARS N60°34'49"W 2039.95' FROM THE SOUTHEAST CORNER OF SAID SECTION 21, THENCE N24°49'49"W 107.78'; THENCE N65°10'11"E 380.00'; THENCE S24°49'49"E 260.00'; THENCE S65°10'11"W 380.00'; THENCE N24°49'49"W 152.22' TO THE POINT OF BEGINNING. BASIS OF BEARINGS IS A G.P.S. OBSERVATION. CONTAINS 2.268 ACRES MORE OR LESS.

## CERTIFICATE

THIS IS TO CERTIFY THAT THE ABOVE WAS PREPARED FROM FIELD NOTES OF ACTUAL SURVEY MADE BY ME OR UNDER MY SUPERVISION AND THAT THE SAME ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

ROBERT E. KAY

REGISTERED LAND SURVEYOR

REGISTRATION NO. 161319

STATE OF UTAH

UINTAH ENGINEERING & LAND SURVEYING  
85 SOUTH - 200 EAST • (435) 789-1017  
VERNAL, UTAH - 84078

SCALE  
1" = 300'

DATE  
05-11-07

PARTY  
S.H. T.P. P.M.

REFERENCES  
G.L.O. PLAT

WEATHER  
COLD

FILE  
4 8 4 9 9

**BERRY PETROLEUM COMPANY**  
**UTE TRIBAL #16-21D-55 & #S-21-55**  
**DAMAGE AREA & CORRIDOR RIGHT-OF-WAY**  
**SECTION 21, T5S, R5W, U.S.B.&M.**

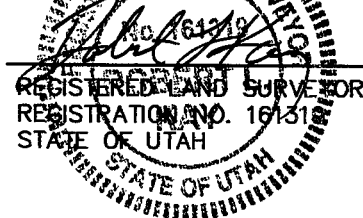
**TOTAL CORRIDOR RIGHT-OF-WAY ON UTE TRIBAL LANDS**

TOTAL LENGTH OF RIGHT-OF-WAY IS 586.53' OR 0.111 MILES. WIDTH OF RIGHT-OF-WAY IS 30' (15' PERPENDICULAR ON EACH SIDE OF THE CENTERLINE). CONTAINS 0.404 ACRES MORE OR LESS.

**ENGINEER'S AFFIDAVIT**

STATE OF UTAH        )  
COUNTY OF Uintah    ) SS

ROBERT L. KAY, BEING FIRST DULY SWORN DEPOSES AND STATES THAT HE IS THE REGISTERED LAND SURVEYOR, FOR BERRY PETROLEUM COMPANY, THAT THESE SURVEYS WERE MADE BY HIM (OR UNDER HIS SUPERVISION): THAT HE HAS EXAMINED THE FIELD NOTES OF THE SURVEYS OF THE DAMAGE AREA AND CORRIDOR RIGHT-OF-WAY AS DESCRIBED AND SHOWN ON THIS MAP, THAT THIS MAP WAS PREPARED UNDER HIS DIRECTION FROM SAID FIELD NOTES; AND THAT SAID RIGHT-OF-WAY, 0.111 MILES IN LENGTH BEGINNING AND ENDING AS SHOWN ON THIS MAP IS ACCURATELY REPRESENTED.



**ACKNOWLEDGEMENT**

SUBSCRIBED AND SWORN BEFORE ME THIS 27 DAY OF July 2007.

MY COMMISSION EXPIRES Aug 17, 2010.

NOTARY PUBLIC  
VERNAL, UTAH



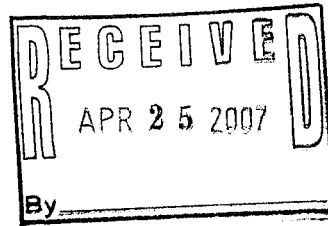
Notary Public  
TRACY D. HENLINE  
3379 East 5000 South  
Vernal, Utah 84078  
My Commission Expires  
August 17, 2010  
State of Utah

**APPLICANT'S CERTIFICATE**

I, ED COURTRIGHT, DO HEREBY CERTIFY THAT I AM THE AGENT FOR BERRY PETROLEUM COMPANY, HEREINAFTER DESIGNATED THE APPLICANT; THAT ROBERT L. KAY WHO SUBSCRIBED TO THE FOREGOING AFFIDAVIT, IS EMPLOYED BY THE APPLICANT AS A LAND SURVEYOR AND THAT HE WAS DIRECTED BY THE APPLICANT TO SURVEY THE LOCATION OF THIS DAMAGE AREA AND CORRIDOR RIGHT-OF-WAY, 0.111 MILES IN LENGTH BEGINNING AT STA. 5+86.53 AND ENDING AT STA. 0+98.17, THAT SAID DAMAGE AREA AND CORRIDOR RIGHT-OF-WAY ARE ACCURATELY REPRESENTED ON THIS MAP; THAT SUCH SURVEY AS REPRESENTED ON THIS MAP HAS BEEN ADOPTED BY THE APPLICANT AS THE DEFINITE LOCATION OF THE RIGHT-OF-WAY THEREBY SHOWN; AND THAT THE MAP HAS BEEN PREPARED TO BE FILED WITH THE SECRETARY OF THE INTERIOR OR HIS DULY AUTHORIZED REPRESENTATIVE AS PART OF THE APPLICATION FOR SAID RIGHT-OF-WAY TO BE GRANTED THE APPLICANT, ITS SUCCESSORS AND ASSIGNS, WITH THE RIGHT TO CONSTRUCT, MAINTAIN, AND REPAIR IMPROVEMENTS, THEREON AND THEREOVER, FOR SUCH PURPOSES, AND WITH THE FURTHER RIGHT IN THE APPLICANT, ITS SUCCESSORS AND ASSIGNS TO TRANSFER THIS RIGHT-OF-WAY BY ASSIGNMENT, GRANT, OR OTHERWISE.

Ed Courtright  
APPLICANT

PRODUCTION SUPERVISOR  
\_\_\_\_\_  
TITLE



Berry Petroleum Company,  
Ute Tribal #S-21D-55 well:  
A Cultural Resource Inventory for a well pad,  
its access and pipeline,  
Uintah-Ouray Ute Reservation,  
Duchesne County, Utah

By

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Utah Project # U-07-AY-351(i)

April 16, 2006

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## Introduction

An Independent Archaeologist (AIA) was contacted by a representative of Berry Petroleum Co., to conduct a cultural resources investigation of the proposed Ute Tribal #S-21D-55 well, its access and pipeline. The location of the project area is in the SE/SE 1/4 of Section 21, T5S, R5W, Duchesne County, Utah (Figure 1).

The proposed Ute Tribal #S-21D-55 well will be directionally drilled from the existing Ute Tribal #16-21D-55 well. The Ute Tribal #16-21D-55 well was surveyed in April of 2007 by AIA (Truesdale 2007). No cultural materials were recorded during this past survey (Truesdale 2007). A copy of this report can be found in Appendix A.

The proposed Ute Tribal #S-21D-55 well's centerstake (Alternate #1) footage is 1060' FSL, 1610' FEL. The Universal Transverse Mercator (UTM) centroid coordinate for the proposed Ute Tribal #S-21D-55 well centerstake is Zone 12, North American Datum (NAD) 83, 5/47/109.98 mE 44/30/769.68 mN  $\pm$ 5m.

As mentioned above, the proposed Ute Tribal #S-21D-55 well will be directionally drilled from the existing Ute Tribal #16-21D-55 well. Therefore, the Ute Tribal #S-21D-55 well's proposed access and pipeline is the existing road and pipeline associated with the existing Ute tribal #16-21D-55 well.

The land surface is administered by the United States, Bureau of Indian Affairs, Phoenix Area Office, Uintah-Ouray Agency, and the Uintah-Ouray Ute tribe, Fort Duchesne, Utah. A total of 10 acres (10 block, 0 linear) was surveyed. Fieldwork was authorized through an access permit issued by the Energy and Minerals Resource Division of the Uintah-Ouray Ute tribe. The fieldwork was conducted on April 5, 2007 by AIA archaeologist James Truesdale and accompanied by Audie Appawoo (technician, Energy and Minerals Resource Division, Uintah-Ouray Ute tribe. All the field notes and maps are located in the AIA office in Laramie, Wyoming.

## File Search

A GIS file search was conducted at the Utah Division of State History (UDSH), Antiquities Section, Records Division on November 14, 2006 and again on April 11, 2007. In addition, AIA's USGS quadrangle Duchesne SW base map was updated from UDSH Records division Duchesne SW base map in November of 2003 and again on February 2, 2004. The UDSH SHPO GIS file searches reported that five previous projects (U-02-AY-139, U-02-AY-614, U-04-AY-1353, U-04-AY-1356, and U-05-AY-1288) had been conducted in the general area (Section 21, T5S R5W). In addition two sites (42DC1513 and 42DC2097) had been previously recorded in Section 21 of T5S R5W.



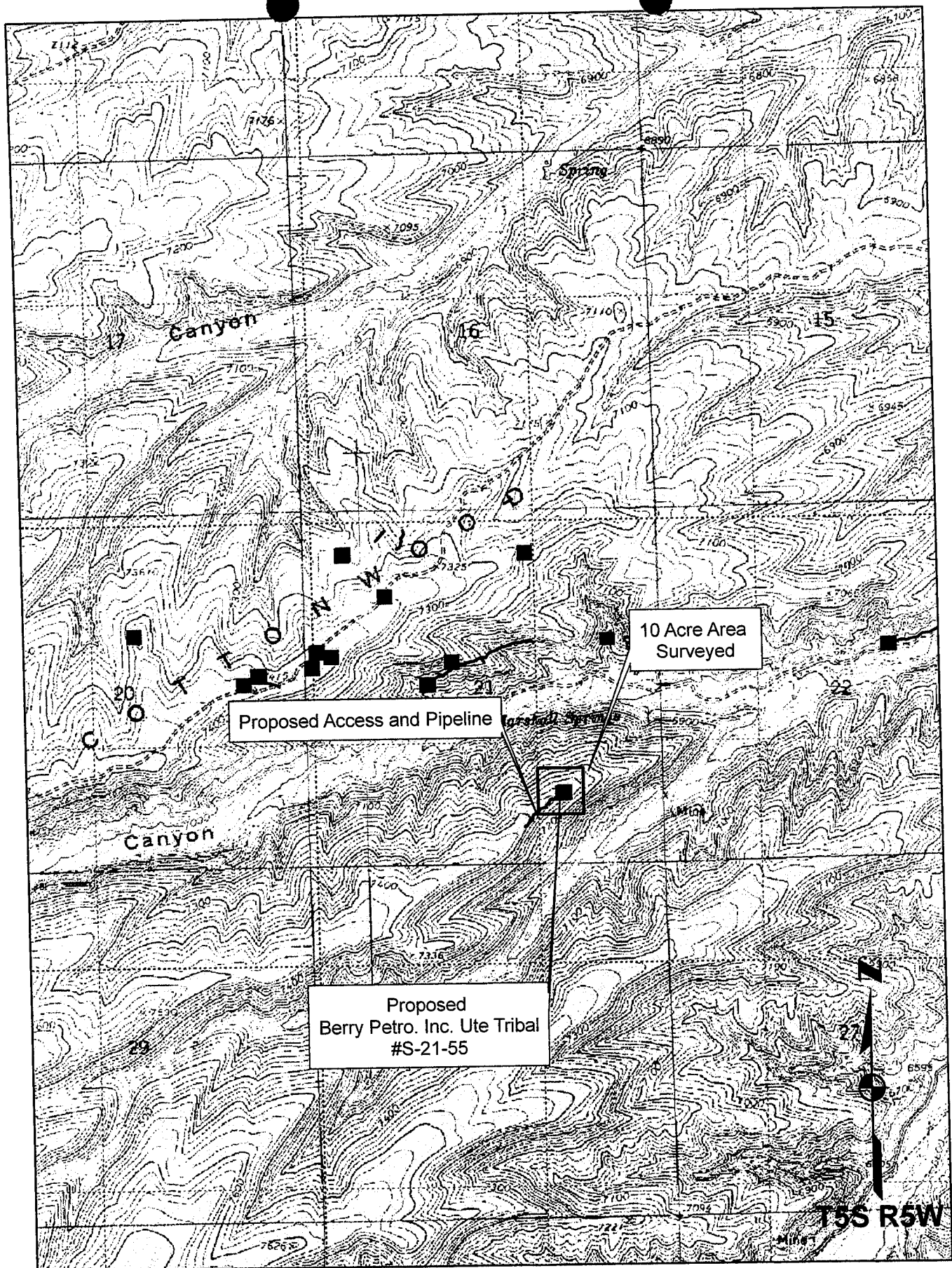


Figure 1. Location of the Berry Petroleum Co.'s proposed Ute Tribal #S-21-55 well, its access and pipeline on 7.5'/1964 USGS quadrangle map Duchesne SW, Duchesne County, Utah.

None of these sites are near the present project area.

In addition, AIA records and maps indicate that one additional project (U-06-AY-1627(i)) was conducted in Section 21 of T5S R5W. This previous project was for the ute tribal #16-21D-55 well, its access and pipeline (Truesdale 2007). No additional projects and/or cultural materials (sites, isolates) have been previously recorded in the immediate project area.

### Environment

Physiographically, the project is located in the Uinta Basin, approximately 25 miles southwest of Myton, Utah. The Uinta Basin is structurally the lowest part of the Colorado Plateau geographical province (Thornbury 1965:425). The Uinta Basin is a large, relatively flat, bowl shaped, east-west asymmetrical syncline near the base of the Uinta Mountains (Stokes 1986:231). The topography is characteristic of sloping surfaces that incline northward and are mainly dip slopes on the harder layers of Green River and Uinta Formations. The terrain is characterized as having steep ridges and/or buttes of Uintah Formation sandstones and clays dissected by seasonal drainages and washes with wide flat alluvial plains. The basin contains a thick section of more than 9000 feet (2743.9 m) of early Tertiary rocks (Childs 1950). These rocks are mainly Paleocene and Eocene in age and consist of sandstone, clay and shale lacustrine, fluvial, and deltaic continental deposits, most famous of which are the lacustrine Green River Beds.

The project area is located along a large broad southwest to northeast trending ridge whose slopes are located west of Sowers Canyon. The large broad ridge is part of a much larger ridge system that is located between the Sowers Canyon to the southeast and Tabby Canyon to the northwest. Portions of the desert hardpan and bedrock in the project area are covered with aeolian sand that may reach a depth of over 50 to 100 centimeters in areas. Brundage Canyon drainage trends northeast approximately 4 1/2 miles to Sowers Canyon, which trends northeast 3 miles to Antelope Creek and then 10 miles north to the Duchesne River.

Vegetation in the project area is characteristic of a Pinon/Juniper community. Species observed in the project area include; Pinyon pine (Pinus Edulis), juniper (Juniperus Osteosperma), curl-leaf mountain mahogany (Cercocarpus ledifolius), shadscale (Atriplex confertifolia), sand sage, (Artemesia filifolia), saltbush (Atriplex nuttallii), rabbitbrush (Chrysothamnus viscidiflorus), winterfat (Eurotia lanata), greasewood (Sarcobatus baileyi), Indian ricegrass (Oryzopsis hymenoides), desert needlegrass (Stipa speciosa), wild buckwheat (Eriogonum ovalifolium), silky lupine (Lupinus sericeus), desert

globemallow (Bromus tectorum), sky rocket (Gilia aggregata), Tansy leaved evening primrose (Oenothera tanacetifolia), Rydberg's Penstemon (Penstemon rydbergi), Stemless Hymenoxys (Hymenoxys acaulis), Sego Lily (Calochortus nuttallii), peppergrass (Lepidium perfoliatum), Russian thistle (Salsola kali), Simpson's Hedgehog cactus (Pediocactus simpsonii) and prickly pear cactus (Opuntia spp.).

#### Ute Tribal #16-21D-55

As mentioned above, the proposed Ute #S-21D-55 well will be directionally drilled from the existing Ute Tribal #16-21D-55 well pad. The proposed Ute Tribal #S-21D-55 well centerstake (1060' FSL, 1610' FEL) is located 10 feet (3.04 m) south and 22 feet (6.7 m) west of the Ute Tribal #16-21D-55 well's centerstake.

The immediate proposed Berry Petroleum Co. Ute Tribal #S-21D-55 centerstake and Ute Tribal #16-21D-55 well pad is situated on the extreme end and top (crest) of a large southwest to northeast trending ridge (Figures 1 and 2). This ridge is part of a much

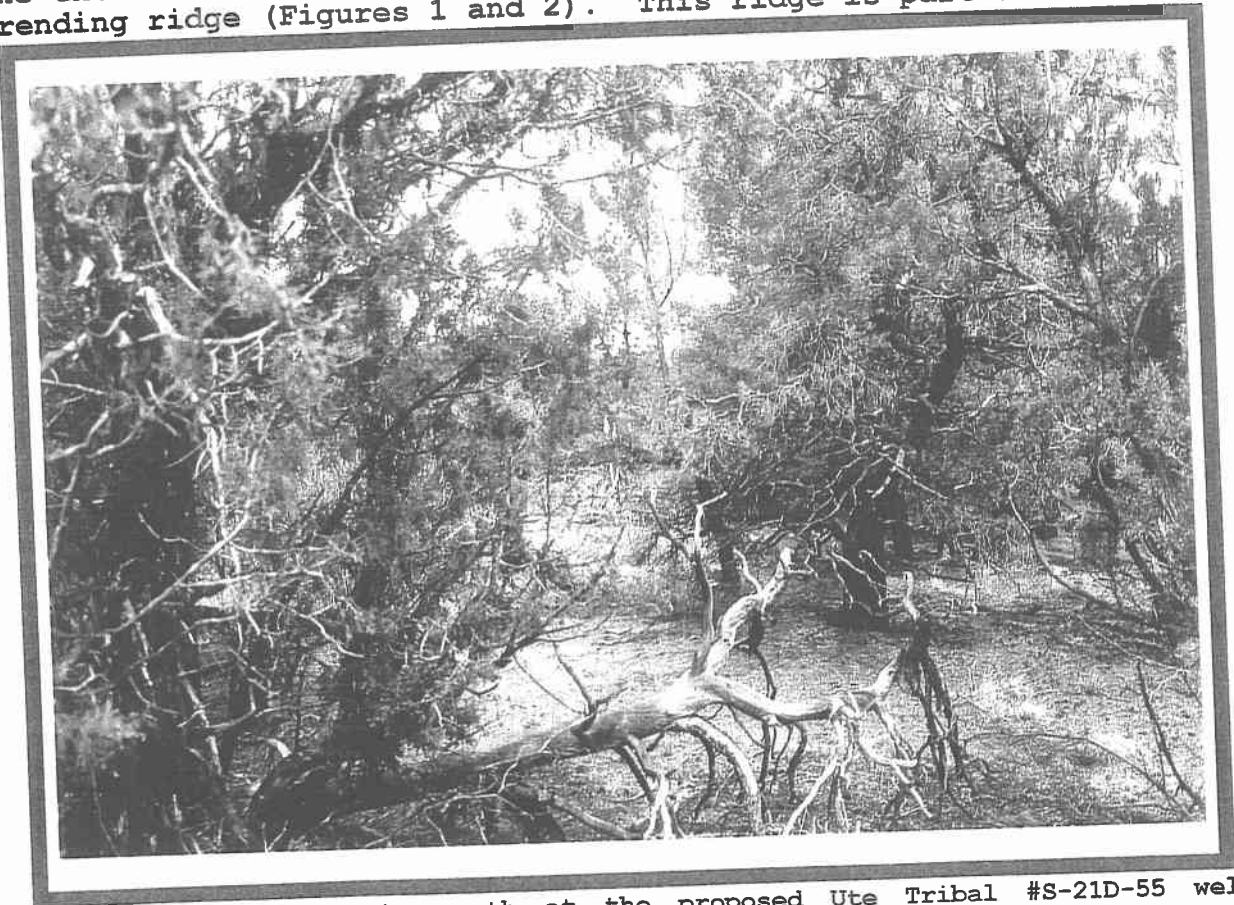


Figure 2. View to south at the proposed Ute Tribal #S-21D-55 well centerstake and well pad area.

larger ridge system that is located between Cottonwood and Tabby

Canyons. The vegetation on the well location is dominated by a Pinion/juniper forest with an under story of mountain mahogany, big sagebrush, bud sage, buckwheat, yucca, prickly pear cactus and bunchgrasses (wheatgrass, Indian rice grass (Figure 2)). A low sagebrush community consisting of sagebrush, saltbush, rabbitbrush, bunchgrasses and prickly pear cactus can be found in the open areas along the broad open flats on top of the ridge. Sediments are colluvial in nature. These colluvial deposits consists of shallow (<10 cm), poorly sorted, loosely compacted, tan to light brown sandy clay loam mixed with small to medium sized flat angular pieces of sandstone (Figure 3). The elevation is 7300 feet (2225.6 m) AMSL.



Figure 3. Overhead view of colluvial sediments on and surrounding the proposed Ute Tribal #S-21D-55 well centerstake and well pad area.

As mentioned above, the proposed Ute Tribal #S-21D-55 well will be directionally drilled from the existing Ute Tribal #16-21D-55 well pad. Therefore, the Ute Tribal #S-21D-55 well's proposed access and pipeline is the road and pipeline associated with the existing Ute Tribal #16-21D-55 well.

From the existing Ute Tribal #15-21-55 well, the Ute Tribal

#16-21D-55 access and pipeline parallel each other and trend 1000 feet (304.8 m) northeast to the dual well pad. The proposed access and pipeline leave the Ute Tribal #15-21-55 well and follow the top (crest) of a southwest to northeast trending ridge to the Ute Tribal #16-21D-55 well pad. Sediments along the access and pipeline consist of shallow (<10 cm), poorly sorted, loosely compacted, tan to light brown, sandy clay loam, mixed with small to medium sized flat angular pieces of Uinta formation sandstone, clay and shale. Exposures of sandstone, clay and shale bedrock can be found eroding from the ridge's talus slopes. Vegetation along the access and pipeline is dominated by Pinion and juniper trees with an under story of mountain mahogany, low sage, yucca and prickly pear cactus.

The surrounding landscape exhibits exposures relatively thick ledges of sandstone with thinner layers of clay and shale. The surrounding vegetation is dominated by a Pinion/juniper community with a understory of mountain mahogany, low sagebrush, yucca, bunchgrasses along the hill and ridge slopes, and low sagebrush community in the ridge top flats and open parks.

#### Field Methods

A total of 10 acres was surveyed around the centerstake of the proposed Ute Tribal #S-21D-55 well location to allow for relocation of the pad if necessary. The survey was accomplished by walking transects spaced no more than 15 meters apart. As mentioned above, the proposed Ute Tribal #S-21D-55 well will be directionally drilled from the existing Ute Tribal #16-21D-55 well pad. Therefore, the Ute Tribal #S-21D-55 well's proposed access and pipeline is the road and pipeline associated with the existing Ute Tribal #16-21D-55 well. Thus, 0 linear acres were surveyed.

Geologic landforms (rock shelters, alcoves, ridge tops and saddles) and areas of subsurface exposure (ant hills, blowouts, rodent holes and burrow, eroding slopes and cut banks) were examined with special care in order to locate cultural resources (sites, isolates) and possibly help assess a site's sedimentary integrity and potential for the presence and/or absence of buried intact cultural deposits. The entire surface area of ridge tops was covered. All exposures of sandstone cliff faces, alcoves or rockshelter, and talus slopes were surveyed.

When cultural materials are discovered, a more thorough survey of the immediate vicinity is conducted in order to locate any associated artifacts and to determine the horizontal extent (surface area) of the site. If no other artifacts are located during the search then the initial artifact was recorded as an isolated find. At times, isolated formal tools (typical end scrapers, projectile points) were drawn and measured. The isolate was then described and its location plotted on a U.S.G.S.



topographic map and UTM coordinates are recorded.

When sites are found an Intermountain Antiquities Computer System (IMACS) form was used to record the site. At all sites, selected topographic features, site boundaries, stone tools and cultural features (hearths, foundations, trash dumps and trails) are mapped. Sites were mapped with a Brunton compass and pacing off distances from a mapping station (datum). All debitage is inventoried using standard recording techniques (Truesdale *et al* 1995:7) according to material type, basic flake type, and so on. Selected (mostly complete) stone tools and projectile points are drawn and measured. All features (rock art panel(s), hearths, foundations, trash dumps and trails) are measured and described, while selected features are either drawn or photographed.

Site location data is recorded by a GARMIN Global Positioning System (GPS III Plus) and/or an E-Trex GPS. Site elevation and Universal Transverse Mercator (UTM) grid data, its Estimated Position Error (EPE) and Dilution of Precision (DOP) were recorded. Using the GPS data, the site location was then placed on a USGS 7.5' quadrangle map.

### Results

A total of 10 acres (10 block, 0 linear) were surveyed for cultural resources within and around the proposed Berry Petroleum Co. Ute Tribal #S-21D-55, and along its access and pipeline. The proposed Ute Tribal #S-21D-55 well will be directionally drilled from the existing Ute Tribal #16-21D-55 well. The Ute Tribal #16-21D-55 well was surveyed in April of 2007 by AIA (Truesdale 2007). No cultural materials were recorded during this past survey (Truesdale 2007). A copy of this report can be found in Appendix A. In addition, the Ute Tribal #S-21D-55 well's proposed access and pipeline is the existing road and pipeline associated with the existing Ute tribal #16-21D-55 well.

No cultural resources (sites, isolates) were recorded during the survey for the proposed Ute Tribal #S-21D-55 well or along its access and pipeline.

Modern trash (plastic soda pop, oil and antifreeze bottles, clear, green, and brown bottle glass, foam insulation and sanitary food cans) can be found throughout the Brundage Canyon, Nutters Canyon, Sowers Canyon and Antelope Canyon oil and gas fields, especially along the service roads.

### Recommendations

A total of 10 acres (10 block, 0 linear) were surveyed for cultural resources within and around the proposed Berry Petroleum Co. Ute Tribal #S-21D-55 and along its access and pipeline. The

proposed Ute Tribal #S-21D-55 well will be directionally drilled from the existing Ute Tribal #16-21D-55 well. The Ute Tribal #16-21D-55 well was surveyed in April of 2007 by AIA (Truesdale 2007). No cultural materials were recorded during this past survey (Truesdale 2007). A copy of this report can be found in Appendix A. In addition, the Ute Tribal #S-21D-55 well's proposed access and pipeline is the existing road and pipeline associated with the existing Ute tribal #16-21D-55 well.

No cultural resources (sites, isolates) were recorded during the survey for the proposed Ute Tribal #S-21D-55 well or along its access and pipeline.

Sediments on the proposed well pad and along its access and pipeline are shallow (<5 cm). Therefore, the possibility of buried and intact cultural materials located on the proposed well pad or along its, access and pipeline is low. Thus, no additional archaeological work is necessary and clearance is recommended for the construction of the proposed Ute Tribal #S-21D-55 well pad, its access and pipeline.

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Truesdale, James A.

- 2007 Berry Petroleum Company, Ute Tribal #16-21D-55 well: A Cultural Resource Inventory for a well pad, its access and pipeline, Uintah-Ouray Ute Reservation, Duchesne County, Utah. Manuscript prepared for Berry Petroleum Co. by AIA. Report is on file at the AIA office in Laramie, Wyoming.

Truesdale, James A., Kathleen E. Hiatt, and Clifford Duncan

- 1995 Cultural Resource Inventory of the Proposed Ouray Gravel Pit Location, Uintah-Ouray Ute Reservation, Uintah County, Utah. Report prepared for U & W Construction, Ft. Duchesne, Utah by AIA, Laramie, Wyoming.



## Appendix A

### Original AIA Report

Berry Petroleum Company,  
Ute Tribal #16-21D-55 well:  
A Cultural Resource Inventory for a well pad,  
its access and pipeline,  
Uintah-Ouray Ute Reservation,  
Duchesne County, Utah

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## Introduction

An Independent Archaeologist (AIA) was contacted by a representative of Berry Petroleum Co., to conduct a cultural resources investigation of the proposed Ute Tribal #16-21D-55 well, its access and pipeline. The location of the project area is in the SE/SE 1/4 of Section 21, T5S, R5W, Duchesne County, Utah (Figure 1).

The proposed Ute Tribal #16-21D-55 well's centerstake (Alternate #1) footage is 1070' FSL, 1588' FEL. The Universal Transverse Mercator (UTM) centroid coordinate for the proposed Ute Tribal #16-21D-55 well centerstake is Zone 12, North American Datum (NAD) 83, 5/47/048.64 mE 44/31/008.40 mN +5m.

From the existing Ute Tribal #15-21-55 well pad, the proposed access and pipeline parallel each other and trends 1000 feet (304.8 m) northeast to the proposed Ute Tribal #16-21D-55 well pad.

The land surface is administered by the United States, Bureau of Indian Affairs, Phoenix Area Office, Uintah-Ouray Agency, and the Uintah-Ouray Ute tribe, Fort Duchesne, Utah. A total of 14.58 acres (10 block, 4.58 linear) was surveyed. Fieldwork was authorized through an access permit issued by the Energy and Minerals Resource Division of the Uintah-Ouray Ute tribe. The fieldwork was conducted on April 5, 2007 by AIA archaeologist James Truesdale and accompanied by Audie Appawoo (technician, Energy and Minerals Resource Division, Uintah-Ouray Ute tribe. All the field notes and maps are located in the AIA office in Laramie, Wyoming.

## File Search

A GIS file search was conducted at the Utah Division of State History (UDSH), Antiquities Section, Records Division on November 14, 2006. In addition, AIA's USGS quadrangle Duchesne SW base map was updated from UDSH Records division Duchesne SW base map in November of 2003 and again on February 2, 2004. The UDSH SHPO GIS file search reported three previous projects (U-02-AY-139, U-02-AY-614, U-04-AY-1353, U-04-AY-1356, and U-05-AY-1288) had been conducted in the general area (Section 21, T5S R5W). In addition two sites (42DC1513 and 42DC2097) had been previously recorded in Section 21 of T5S R5W. None of these sites are near the present project area.

No additional projects and/or cultural materials (sites, isolates) have been previously recorded in the immediate project area.

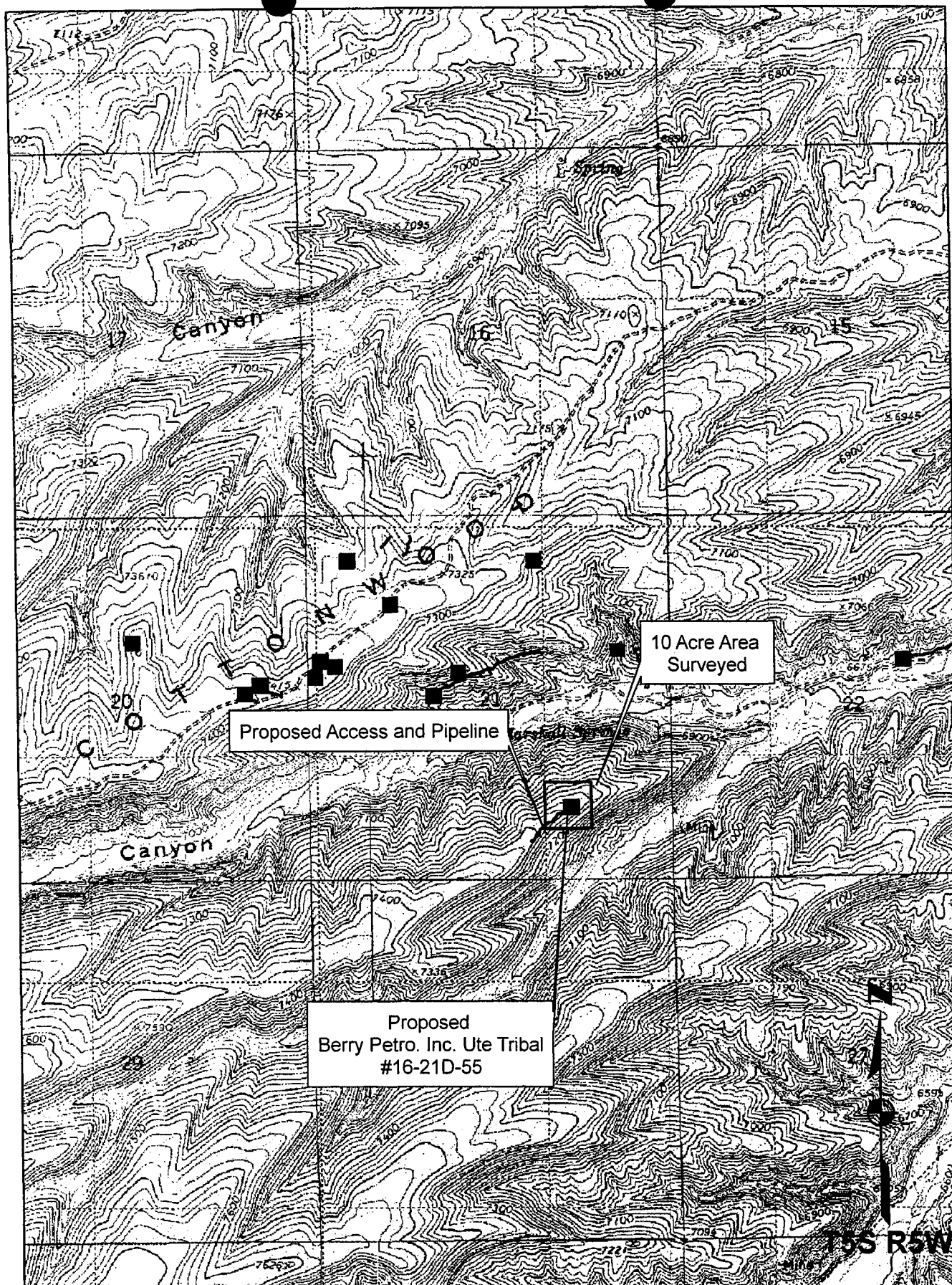


Figure 1. Location of the Berry Petroleum Co.'s proposed Ute Tribal #16-21D-55 well, its access and pipeline on 7.5'/1964 USGS quadrangle map Duchesne SW, Duchesne County, Utah.

## Environment

Physiographically, the project is located in the Uinta Basin, approximately 25 miles southwest of Myton, Utah. The Uinta Basin is structurally the lowest part of the Colorado Plateau geographical province (Thornbury 1965:425). The Uinta Basin is a large, relatively flat, bowl shaped, east-west asymmetrical syncline near the base of the Uinta Mountains (Stokes 1986:231). The topography is characteristic of sloping surfaces that incline northward and are mainly dip slopes on the harder layers of Green River and Uinta Formations. The terrain is characterized as having steep ridges and/or buttes of Uintah Formation sandstones and clays dissected by seasonal drainages and washes with wide flat alluvial plains. The basin contains a thick section of more than 9000 feet (2743.9 m) of early Tertiary rocks (Childs 1950). These rocks are mainly Paleocene and Eocene in age and consist of sandstone, clay and shale lacustrine, fluvial, and deltaic continental deposits, most famous of which are the lacustrine Green River Beds.

The project area is located along a large broad southwest to northeast trending ridge whose slopes are located west of Sowers Canyon. The large broad ridge is part of a much larger ridge system that is located between the Sowers Canyon to the southeast and Tabby Canyon to the northwest. Portions of the desert hardpan and bedrock in the project area are covered with aeolian sand that may reach a depth of over 50 to 100 centimeters in areas. Brundage Canyon drainage trends northeast approximately 4 1/2 miles to Sowers Canyon, which trends northeast 3 miles to Antelope Creek and then 10 miles north to the Duchesne River.

Vegetation in the project area is characteristic of a Pinon/Juniper community. Species observed in the project area include; Pinyon pine (Pinus Edulis), juniper (Juniperus Osteosperma), curl-leaf mountain mahogany (Cercocarpus ledifolius), shadscale (Atriplex confertifolia), sand sage, (Artemesia filifolia), saltbush (Atriplex nuttallii), rabbitbrush (Chrysothamnus viscidiflorus), winterfat (Eurotia lanata), greasewood (Sarcobatus baileyi), Indian ricegrass (Oryzopsis hymenoides), desert needlegrass (Stipa speciosa), wild buckwheat (Eriogonum ovalifolium), silky lupine (Lupinus sericeus), desert globemallow (Bromus tectorum), sky rocket (Gilia aggregata), Tansy leaved evening primrose (Oenothera tanacetifolia), Rydberg's Penstemon (Penstemon rydbergi), Stemless Hymenoxys (Hymenoxys acaulis), Sego Lily (Calochortus nuttallii), peppergrass (Lepidium perfoliatum), Russian thistle (Salsola kali), Simpson's Hedgehog cactus (Pediocactus simpsonii) and prickly pear cactus (Opuntia spp.).

Ute Tribal #16-21D-55

The immediate proposed Berry Petroleum Co. Ute Tribal #16-21D-55 well is situated on the extreme end and top (crest) of a large southwest to northeast trending ridge (Figures 1 and 2). This ridge is part of a much larger ridge system that is located between Cottonwood and Tabby Canyons. The vegetation on the well location is dominated by a Pinion/juniper forest with an under story of mountain mahogany, big sagebrush, bud sage, buckwheat, yucca, prickly pear cactus and bunchgrasses (wheatgrass, Indian rice grass (Figure 2)). A low sagebrush community consisting of sagebrush, saltbush, rabbitbrush, bunchgrasses and prickly pear cactus can be found in the open areas along the broad open flats on top of the ridge. Sediments are colluvial in nature. These colluvial deposits consists of shallow (<10 cm), poorly sorted, loosely compacted, tan to light brown sandy clay loam mixed with small to medium sized flat angular pieces of sandstone (Figure 3). The elevation is 7300 feet (2225.6 m) AMSL.

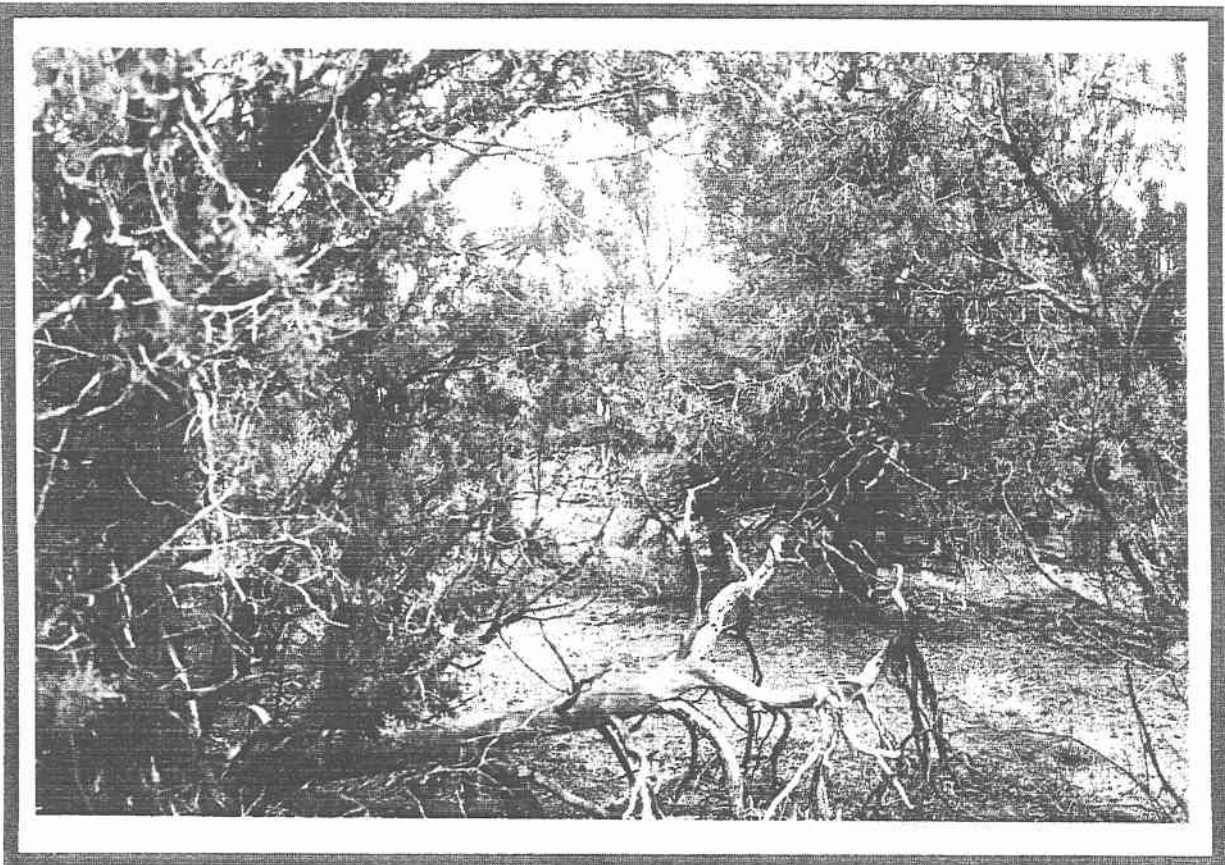


Figure 2. View to south at the proposed Ute Tribal #16-21D-55 well centerstake and well pad area.

From the existing Ute Tribal #15-21-55 well, the proposed access and pipeline parallel each other and trend 1000 feet (304.8



m) northeast to the proposed Ute Tribal #16-21D-55 well pad. The proposed access and pipeline leave the Ute Tribal #15-21-55 well and follow the top (crest) of a southwest to northeast trending ridge to the proposed Ute Tribal #16-21D-55 well pad. Sediments along the access and pipeline consist of shallow (<10 cm), poorly sorted, loosely compacted, tan to light brown, sandy clay loam, mixed with small to medium sized flat angular pieces of Uinta formation sandstone, clay and shale. Exposures of sandstone, clay and shale bedrock can be found eroding from the ridge's talus slopes. Vegetation along the access and pipeline is dominated by Pinion and juniper trees with an understory of mountain mahogany, low sage, yucca and prickly pear cactus.



Figure 3. Overhead view of colluvial sediments on and surrounding the proposed Ute Tribal #16-21D-55 well centerstake and well pad area.

The surrounding landscape exhibits exposures relatively thick ledges of sandstone with thinner layers of clay and shale. The surrounding vegetation is dominated by a Pinion/juniper community with a understory of mountain mahogany, low sagebrush, yucca, bunchgrasses along the hill and ridge slopes, and low sagebrush community in the ridge top flats and open parks.

## Field Methods

A total of 10 acres was surveyed around the centerstake of the proposed Ute Tribal #16-21D-55 well location to allow for relocation of the pad if necessary. The survey was accomplished by walking transects spaced no more than 15 meters apart. The proposed access and pipeline parallel each other. Each of these linear corridors surveyed is 1000 feet (609.7 m) long and 100 feet (30.4 m) wide, 2.29 acres. Thus, 4.58 linear acres was surveyed.

Geologic landforms (rock shelters, alcoves, ridge tops and saddles) and areas of subsurface exposure (ant hills, blowouts, rodent holes and burrow, eroding slopes and cut banks) were examined with special care in order to locate cultural resources (sites, isolates) and possibly help assess a site's sedimentary integrity and potential for the presence and/or absence of buried intact cultural deposits. The entire surface area of ridge tops was covered. All exposures of sandstone cliff faces, alcoves or rockshelter, and talus slopes were surveyed.

When cultural materials are discovered, a more thorough survey of the immediate vicinity is conducted in order to locate any associated artifacts and to determine the horizontal extent (surface area) of the site. If no other artifacts are located during the search then the initial artifact was recorded as an isolated find. At times, isolated formal tools (typical end scrapers, projectile points) were drawn and measured. The isolate was then described and its location plotted on a U.S.G.S. topographic map and UTM coordinates are recorded.

When sites are found an Intermountain Antiquities Computer System (IMACS) form was used to record the site. At all sites, selected topographic features, site boundaries, stone tools and cultural features (hearths, foundations, trash dumps and trails) are mapped. Sites were mapped with a Brunton compass and pacing off distances from a mapping station (datum). All debitage is inventoried using standard recording techniques (Truesdale et al 1995:7) according to material type, basic flake type, and so on. Selected (mostly complete) stone tools and projectile points are drawn and measured. All features (rock art panel(s), hearths, foundations, trash dumps and trails) are measured and described, while selected features are either drawn or photographed.

Site location data is recorded by a GARMIN Global Positioning System (GPS III Plus) and/or an E-Trex GPS. Site elevation and Universal Transverse Mercator (UTM) grid data, its Estimated Position Error (EPE) and Dilution of Precision (DOP) were recorded. Using the GPS data, the site location was then placed on a USGS 7.5' quadrangle map.

## Results

A total of 14.58 acres (10 block, 4.58 linear) were surveyed for cultural resources within and around the proposed Berry Petroleum Co. Ute Tribal #16-21D-55, and along its access and pipeline. No cultural resources (sites, isolates) were recorded during the survey.

Modern trash (plastic soda pop, oil and antifreeze bottles, clear, green, and brown bottle glass, foam insulation and sanitary food cans) can be found throughout the Brundage Canyon, Nutters Canyon, Sowers Canyon and Antelope Canyon oil and gas fields, especially along the service roads.

## Recommendations

A total of 14.58 acres (10 block, 4.58 linear) were surveyed for cultural resources within and around the proposed Berry Petroleum Co. Ute Tribal #16-21D-55 and along its access and pipeline. No cultural resources (sites, isolates) were recorded during the survey.

Sediments on the proposed well pad and along its access and pipeline are shallow (<5 cm). Therefore, the possibility of buried and intact cultural materials located on the proposed well pad or along its, access and pipeline is low. Thus, no additional archaeological work is necessary and clearance is recommended for the construction of the proposed Ute Tribal #16-21D-55 well pad, its access and pipeline.

#### REFERENCES CITED

Childs, O.E.

- 1950 Geologic history of the Uinta Basin, Utah Geological and Mineralogical Survey. Guidebook to the Geology of Utah, No. 5:49-59.

Stokes, William Lee

- 1986 Geology of Utah. Contributions by Utah Museum of Natural History, and the Utah Geological and Mineral Survey Department of Natural Resources. Utah Museum of Natural History, Occasional Papers, Number 6.

Thornbury, William D.

- 1965 Regional Geomorphology of the United States. John Wiley & Sons, Inc.

Truesdale, James A., Kathleen E. Hiatt, and Clifford Duncan

- 1995 Cultural Resource Inventory of the Proposed Ouray Gravel Pit Location, Uintah-Ouray Ute Reservation, Uintah County, Utah. Report prepared for U & W Construction, Ft. Duchesne, Utah by AIA, Laramie, Wyoming.

**BERRY PETROLEUM COMPANY**  
**UTE TRIBAL #16-21D-55 & #S-21-55**  
LOCATED IN DUCHESNE COUNTY, UTAH  
SECTION 21, T5S, R5W, U.S.B.&M.

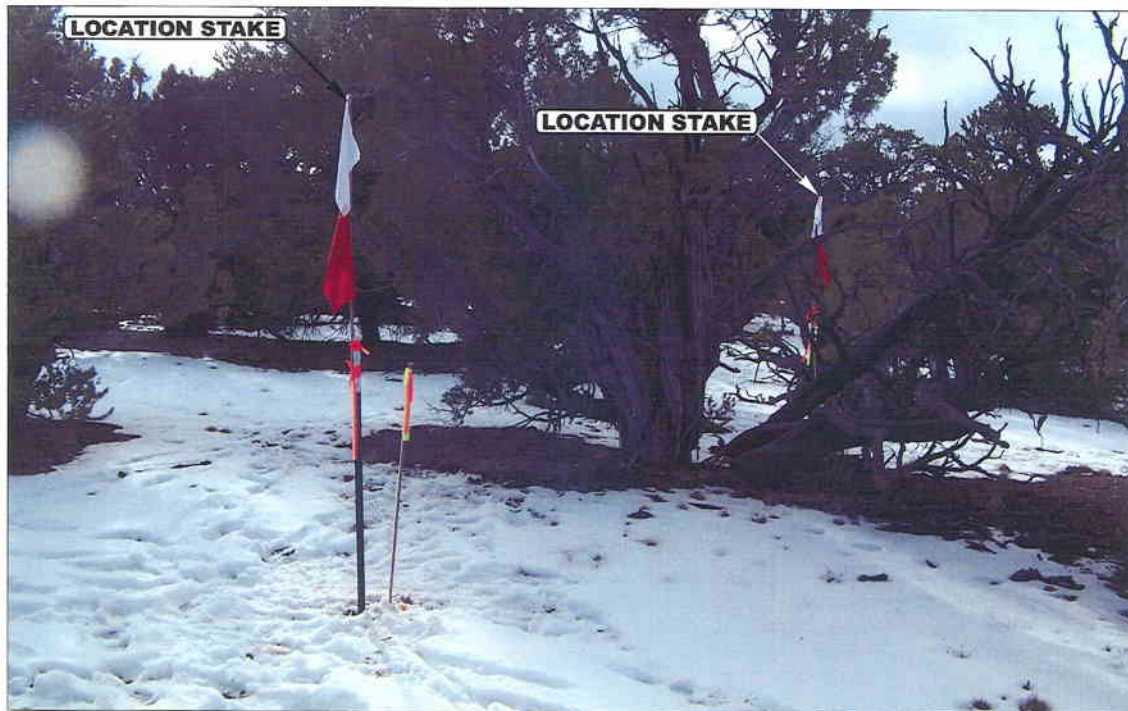


PHOTO: VIEW FROM CORNER #5 TO LOCATION STAKES

CAMERA ANGLE: SOUTHWESTERLY



PHOTO: VIEW FROM BEGINNING OF PROPOSED ACCESS

CAMERA ANGLE: NORTHEASTERLY



- Since 1964 -

**UELS** Uintah Engineering & Land Surveying  
85 South 200 East Vernal, Utah 84078  
435-789-1017 uels@uelsinc.com

**LOCATION PHOTOS**

**05** **10** **07**  
MONTH DAY YEAR

**PHOTO**

TAKEN BY: S.H.

DRAWN BY: B.C.

REVISED: 00-00-00



# BERRY PETROLEUM COMPANY

## LOCATION LAYOUT FOR

UTE TRIBAL #16-21D-55 & #S-21-55

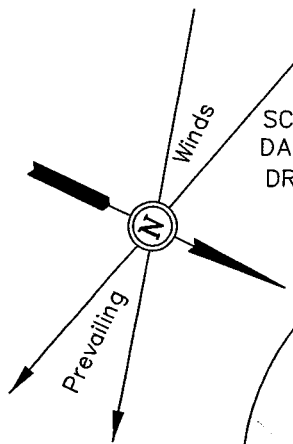
SECTION 21, T5S, R5W, U.S.B.&M.

SW 1/4 SE 1/4

SCALE: 1" = 50'

DATE: 05-11-07

DRAWN BY: P.M.



C-17.6'  
El. 72.8'

Proposed Access Road

F-7.9'

Sta. 3+30



Approx.  
Top of  
Cut Slope

### NOTE:

Flare Pit is to be located a min. of 100' from the Well Head.

C-21.3'  
El. 66.5'  
(Btm. Pit)

Reserve Pit Backfill & Spoils Stockpile

10' WIDE BENCH/DIKE

Total Pit Capacity  
1/2 of Freeboard  
= 13,920 Bbls ±  
Total Pit Volume  
= 3,900 Cu. Yds.

RESERVE PITS  
(10' Deep)

1 1/2:1 Slope

C-10.4'  
El. 65.6'

C

155'

CATWALK

PIPE RACKS

C-5.3'  
El. 60.5'

#S-21

RIG

DOG HOUSE

#16-21D

WATER

PUMP

MUD SHED

HOPPER

POWER

TOOLS

FUEL

STORAGE TANK

TRAILER

TOILET

FUEL

TRASH

Topsoil Stockpile

Reserve Pit Backfill & Spoils Stockpile

Flare Pit

Approx. Toe of Fill Slope

Approx. Top of Cut Slope

Proposed Access Road

Round Corners as needed

Scale: 1" = 50'

Date: 05-11-07

Drawn by: P.M.

Surveyor's Seal

Stationing

Notes

Legend

Index

Sheet

Project

Client

Location

Scale

Date

Drawn by

Checked by

Approved by

Surveyor's Seal

Stationing

Notes

Legend

Index

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Project

Client

Location

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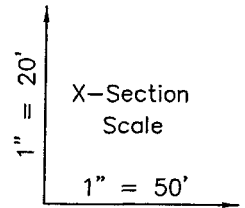
# BERRY PETROLEUM COMPANY

## TYPICAL CROSS SECTIONS FOR

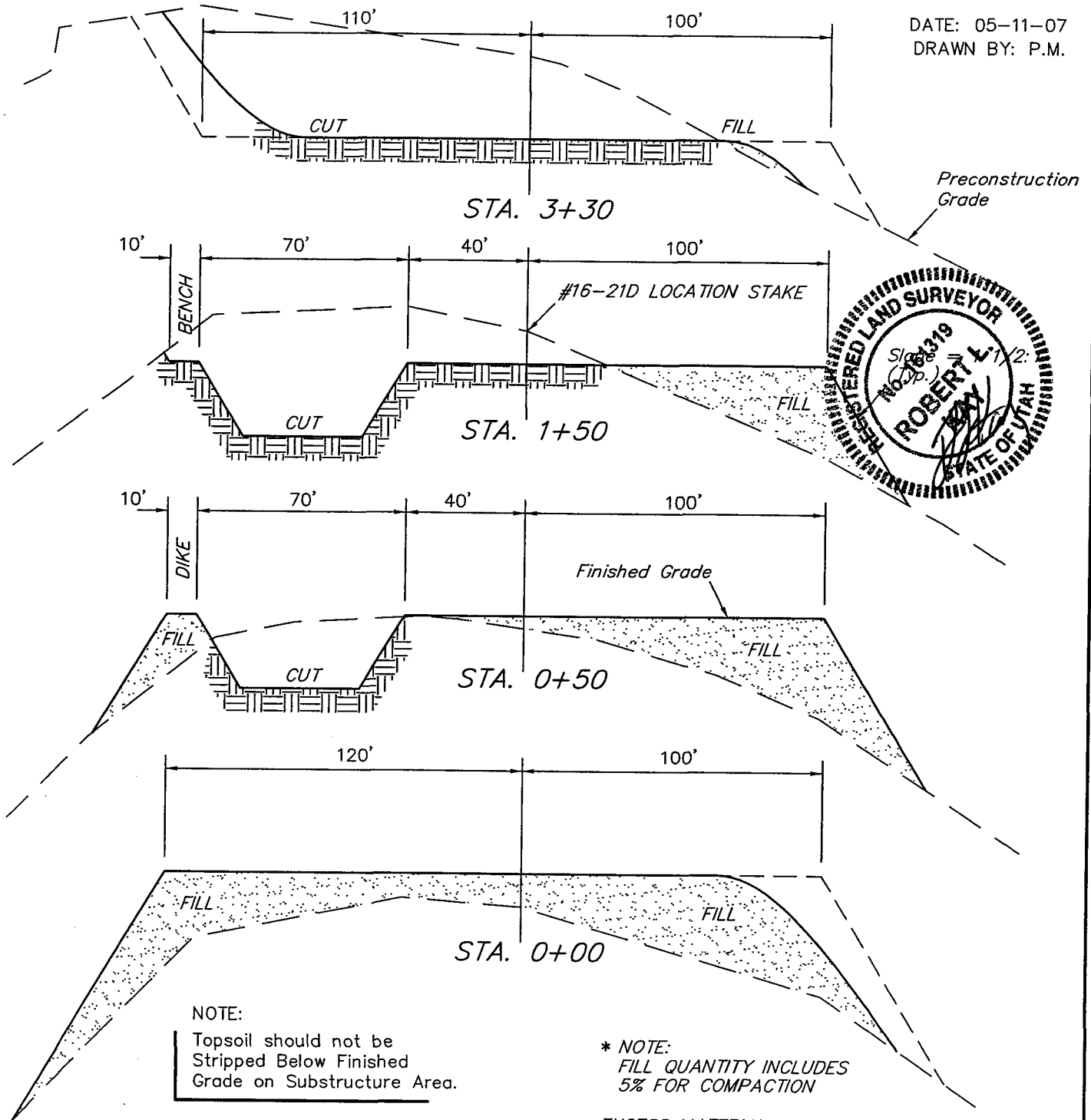
UTE TRIBAL #16-21D-55 & #S-21-55

SECTION 21, T5S, R5W, U.S.B.&M.

SW 1/4 SE 1/4



DATE: 05-11-07  
DRAWN BY: P.M.



### APPROXIMATE YARDAGES

CUT	
(12") Topsoil Stripping	= 3,810 Cu. Yds.
Remaining Location	= 13,890 Cu. Yds.
<b>TOTAL CUT</b>	<b>= 17,700 CU.YDS.</b>
<b>FILL</b>	<b>= 11,940 CU.YDS.</b>

EXCESS MATERIAL	= 5,760 Cu. Yds.
Topsoil & Pit Backfill (1/2 Pit Vol.)	= 5,760 Cu. Yds.
EXCESS UNBALANCE (After Interim Rehabilitation)	= 0 Cu. Yds.

UINTAH ENGINEERING & LAND SURVEYING  
85 So. 200 East \* Vernal, Utah 84078 \* (435) 789-1017

# BERRY PETROLEUM COMPANY

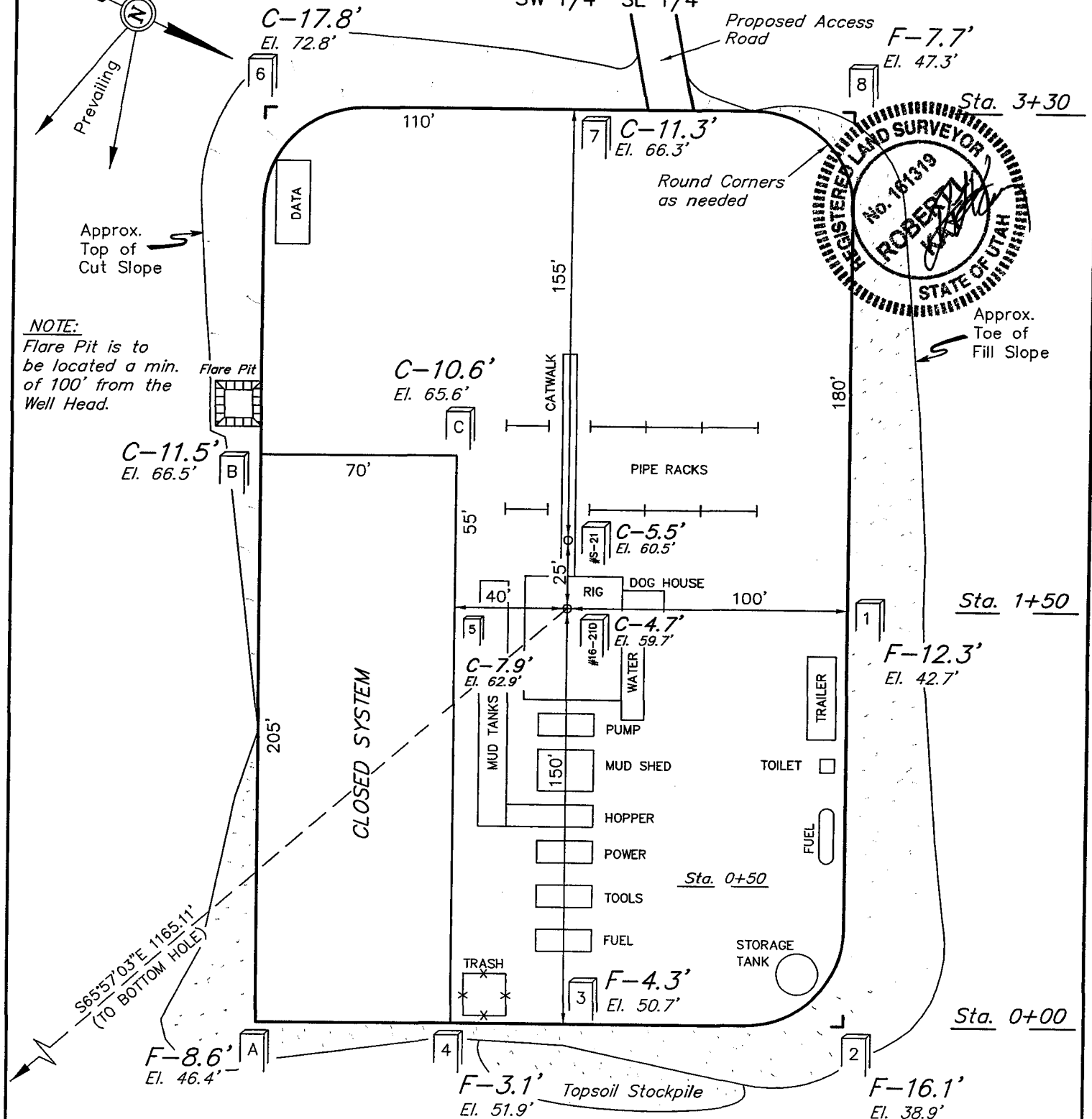
## LOCATION LAYOUT FOR

UTE TRIBAL #16-21D-55 & #S-21-55

SECTION 21, T5S, R5W, U.S.B.&M.

SW 1/4 SE 1/4

SCALE: 1" = 50'  
DATE: 05-11-07  
DRAWN BY: P.M.



Elev. Ungraded Ground at #16-21D Loc. Stake = 7259.7'

Elev. Graded Ground at #16-21D Loc. Stake = 7255.0'

UINTAH ENGINEERING & LAND SURVEYING  
85 So. 200 East \* Vernal, Utah 84078 \* (435) 789-1017



# BERRY PETROLEUM COMPANY

## TYPICAL CROSS SECTIONS FOR

UTE TRIBAL #16-21D-55 & #S-21-55

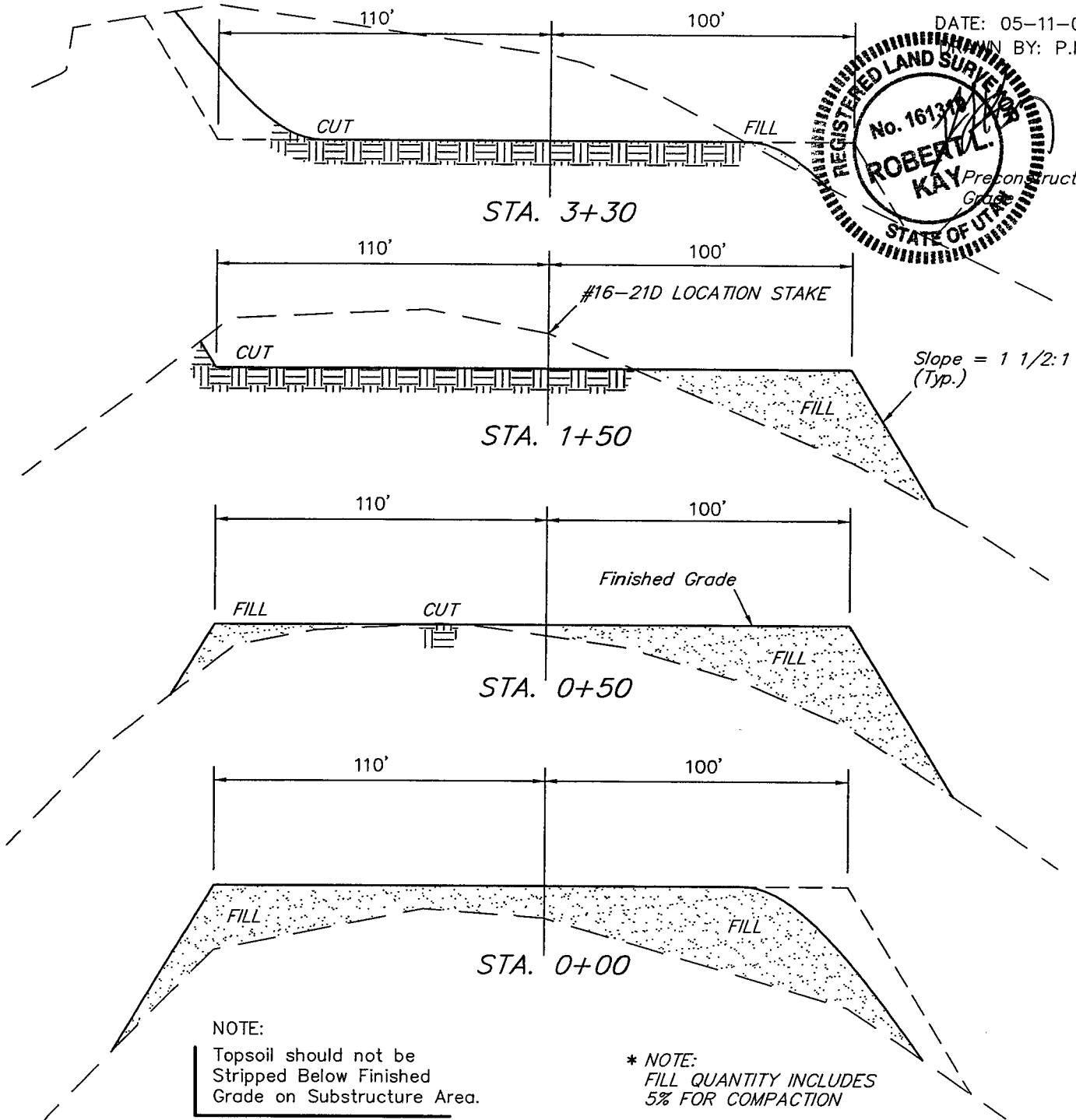
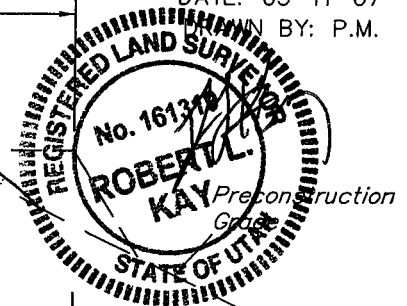
SECTION 21, T5S, R5W, U.S.B.&M.

SW 1/4 SE 1/4

1" = 20'  
X-Section  
Scale  
1" = 50'

DATE: 05-11-07

BY: P.M.



### APPROXIMATE YARDAGES

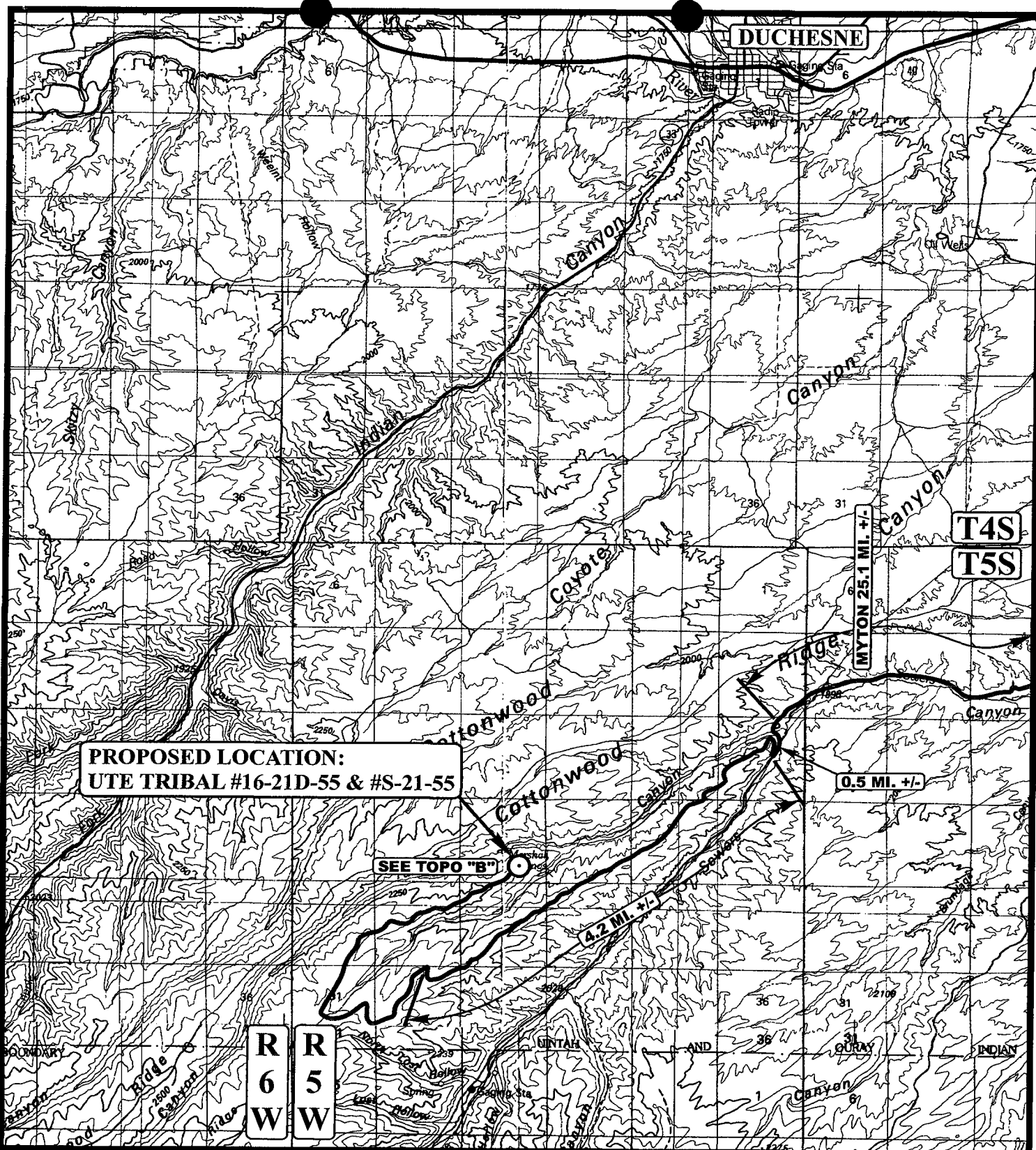
CUT	
(12") Topsoil Stripping	= 3,500 Cu. Yds.
Remaining Location	= 10,800 Cu. Yds.
<b>TOTAL CUT</b>	<b>= 14,300 CU.YDS.</b>
<b>FILL</b>	<b>= 10,800 CU.YDS.</b>

\* NOTE:  
FILL QUANTITY INCLUDES  
5% FOR COMPACTION

EXCESS MATERIAL = 3,500 Cu. Yds.  
Topsoil = 3,500 Cu. Yds.

EXCESS UNBALANCE = 0 Cu. Yds.  
(After Interim Rehabilitation)

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# **LEGEND:**

○ PROPOSED LOCATION



## **BERRY PETROLEUM COMPANY**

UTE TRIBAL #16-21D-55 & #S-21-55  
SECTION 21, T5S, R5W, U.S.B.&M.  
SW ¼ SE ¼



Uintah Engineering & Land Surveying  
85 South 200 East Vernal, Utah 84078  
(435) 789-1017 \* FAX (435) 789-1813

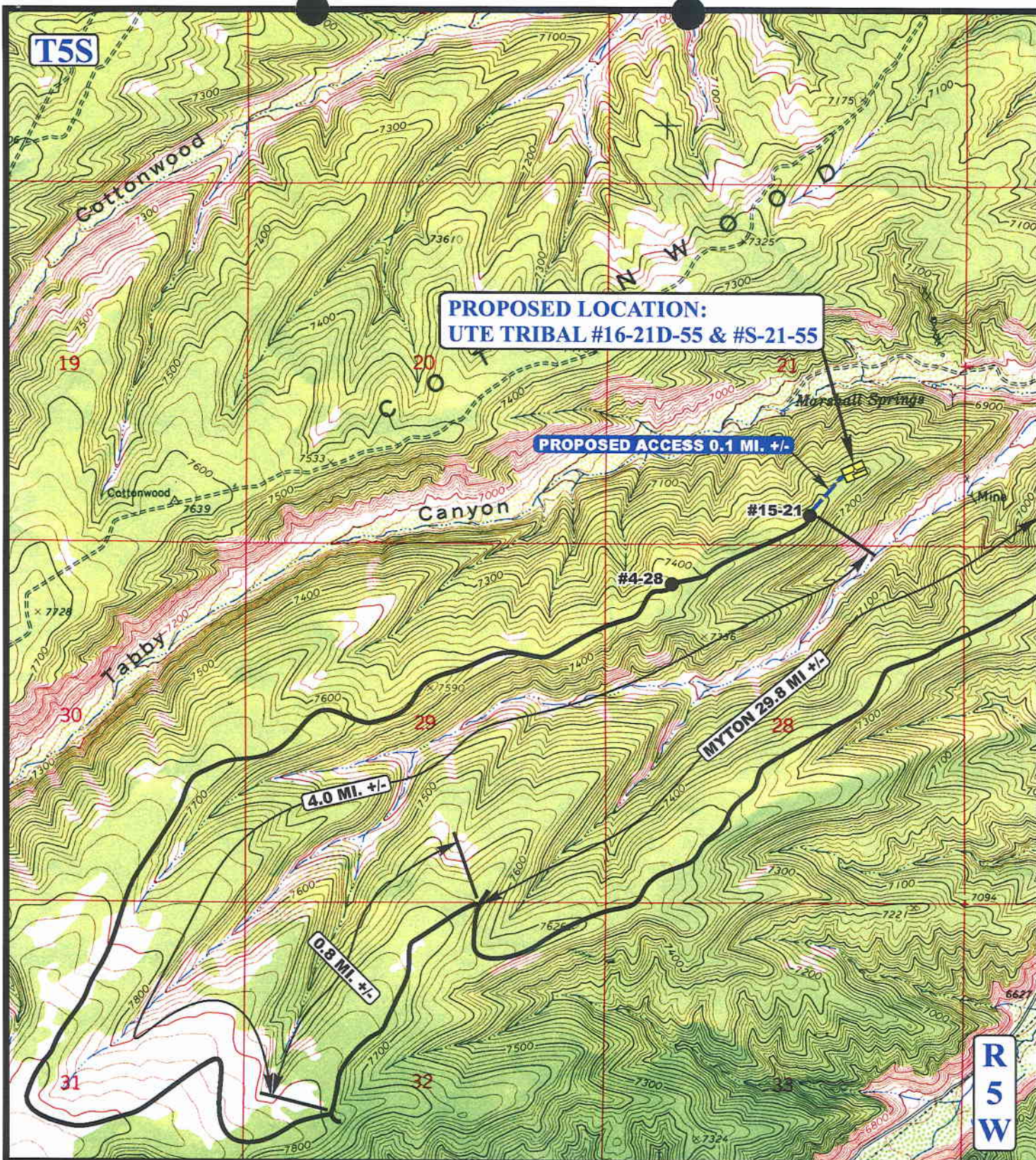
**TOPOGRAPHIC**  
**MAP**

**05 10 07**  
MONTH DAY YEAR

SCALE: 1:100,000 | DRAWN BY: B.C. | REVISED: 00-00-00







# **LEGEND:**

— EXISTING ROAD  
 - - - PROPOSED ACCESS ROAD



## **BERRY PETROLEUM COMPANY**

**UTE TRIBAL #16-21D-55 & #S-21-55**  
**SECTION 21, T5S, R5W, U.S.B.&M.**  
**SW ¼ SE ¼**



**Uintah Engineering & Land Surveying**  
 85 South 200 East Vernal, Utah 84078  
 (435) 789-1017 \* FAX (435) 789-1813

**TOPOGRAPHIC  
MAP**

**05 10 07**  
 MONTH DAY YEAR

SCALE: 1" = 2000' DRAWN BY: B.C. REVISED: 00-00-00













**WORKSHEET**  
**APPLICATION FOR PERMIT TO DRILL**

APD RECEIVED: 08/20/2007

API NO. ASSIGNED: 43-013-33746

WELL NAME: UTE TRIBAL S-21-55

OPERATOR: BERRY PETROLEUM COMPANY ( N2480 )

PHONE NUMBER: 435-722-1325

CONTACT: SHELLEY CROZIER

PROPOSED LOCATION:

SWSE 21 050S 050W

SURFACE: 1060 FSL 1611 FEL

BOTTOM: 1060 FSL 1611 FEL

COUNTY: DUCHESNE

LATITUDE: 40.02780 LONGITUDE: -110.4484

UTM SURF EASTINGS: 547071 NORTHINGS: 4430779

FIELD NAME: BRUNDAGE CANYON ( 72 )

INSPECT LOCATN BY: / /		
<b>Tech Review</b>	<b>Initials</b>	<b>Date</b>
Engineering		
Geology		
Surface		

LEASE TYPE: 2 - Indian

LEASE NUMBER: 14-20-H62-4825

SURFACE OWNER: 2 - Indian

PROPOSED FORMATION: GRRV

COALBED METHANE WELL? NO

RECEIVED AND/OR REVIEWED:

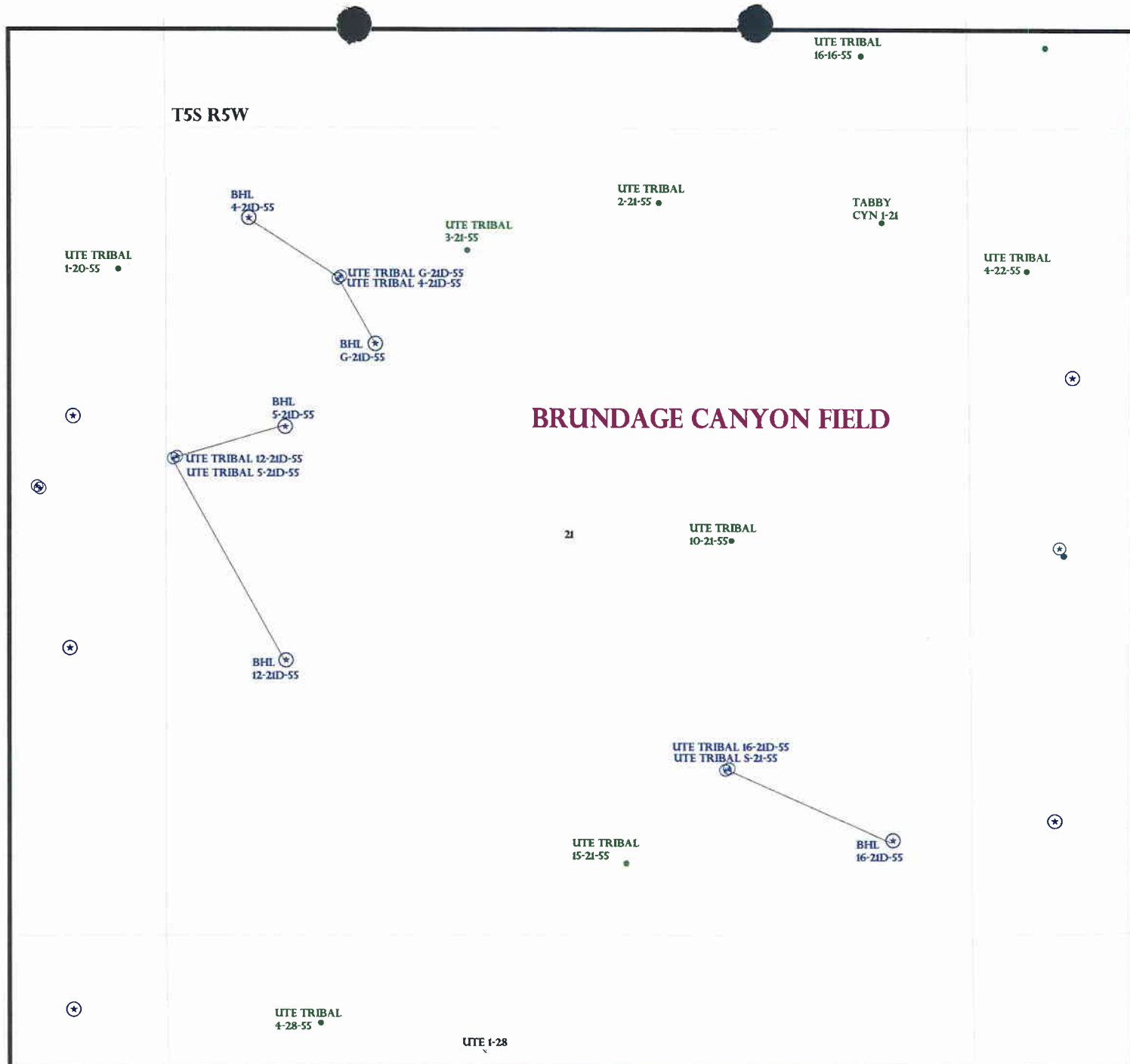
☒ Plat  
☒ Bond: Fed[] Ind[2] Sta[] Fee[]  
(No. RLB0005651 )  
☒ Potash (Y/N)  
☒ Oil Shale 190-5 (B) or 190-3 or 190-13  
☒ Water Permit  
(No. 43-11041 )  
☒ RDCC Review (Y/N)  
(Date: )  
☒ Fee Surf Agreement (Y/N)  
☒ Intent to Commingle (Y/N)

LOCATION AND SITING:

\_\_\_ R649-2-3.  
Unit: \_\_\_\_\_  
\_\_\_ R649-3-2. General  
Siting: 460 From Qtr/Qtr & 920' Between Wells  
☒ R649-3-3. Exception  
\_\_\_ Drilling Unit  
Board Cause No: \_\_\_\_\_  
Eff Date: \_\_\_\_\_  
Siting: \_\_\_\_\_  
\_\_\_ R649-3-11. Directional Drill

COMMENTS: See Separate File

STIPULATIONS: 1. Seismic Approval  
2. Spacing Strip



OPERATOR: BERRY PETRO CO (N2480)

SEC: 21 T.5S R. 5W

FIELD: BRUNDAGE CANYON (72)

COUNTY: DUCHESNE

SPACING: R649-3-3 / EXCEPTION LOCATION

#### Field Status

- ABANDONED
- ACTIVE
- COMBINED
- INACTIVE
- PROPOSED
- STORAGE
- TERMINATED

#### Unit Status

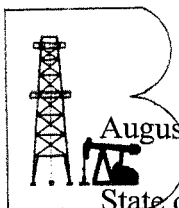
- EXPLORATORY
- GAS STORAGE
- NF PP OIL
- NF SECONDARY
- PENDING
- PI OIL
- PP GAS
- PP GEOTHERML
- PP OIL
- SECONDARY
- TERMINATED

#### Wells Status

- GAS INJECTION
- GAS STORAGE
- LOCATION ABANDONED
- NEW LOCATION
- PLUGGED & ABANDONED
- PRODUCING GAS
- PRODUCING OIL
- SHUT-IN GAS
- SHUT-IN OIL
- TEMP. ABANDONED
- TEST WELL
- WATER INJECTION
- WATER SUPPLY
- WATER DISPOSAL
- DRILLING



PREPARED BY: DIANA MASON  
DATE: 29-AUGUST-2007



August 1, 2007

State of Utah

Department of Natural Resources  
Division of Oil, Gas, and Mining  
1594 West North Temple, Suite 1210  
Box 145801  
Salt Lake City, Utah 84114-5801

# Berry Petroleum Company

Brundage Canyon Field

4000 South 4028 West  
Route 2 Box 7735  
Roosevelt, UT 84066

Ph. (435) 722-1325  
Fax: (435) 722-1321  
www.bry.com

Re: Oil and Gas Conservation General Rules  
R649-3-3 Exception to Location and Siting of Wells.  
Ute Tribal No. S-21-55

Gentlemen:

Berry Petroleum Company is proposing to drill a development well based on a 20 acre development plan in the Brundage Canyon Field, Duchesne County, Utah. The well is located on lands within the Uintah and Ouray Ute Indian Reservation. A copy of the Federal Application for Permit to Drill (APD) is attached for your review. This APD has been submitted to the Bureau of Land Management (BLM) in Vernal and the Bureau of Indian Affairs (BIA) at Ft. Duchesne.

As shown on the attached staking plat, the proposed location for the Ute Tribal No. S-21-55 falls outside of the allowed standard well spacing (R649-3-2) which is currently 40 acres. Berry is requesting an exception to the spacing requirement per regulation R649-3-3 for the sole purpose of improving total hydrocarbon recovery through the improved reservoir efficiency that 20 acre well spacing will provide. The chosen surface location is a function of topography and the proximity of neighboring facilities in an effort to severely reduce or totally eliminate surface disturbance.

In accordance with R649-3-3, Berry is providing a copy of the staking plat showing the proposed location in relation to the allowed spacing "window" and all tracts contacted by a circle with a radius of 460'. A second plat is also attached showing the actual or recently proposed location for all direct or diagonal offsetting wells. As to the 460' radius circle, Berry is also the owner of all adjacent 1/4 1/4 sections surrounding the proposed well.

Berry is requesting approval of this excepted location as proposed. If additional information is required, please contact Dan Anderson at (303) 825-3344.

Sincerely,

Shelley E. Crozier  
Regulatory & Permitting Specialist

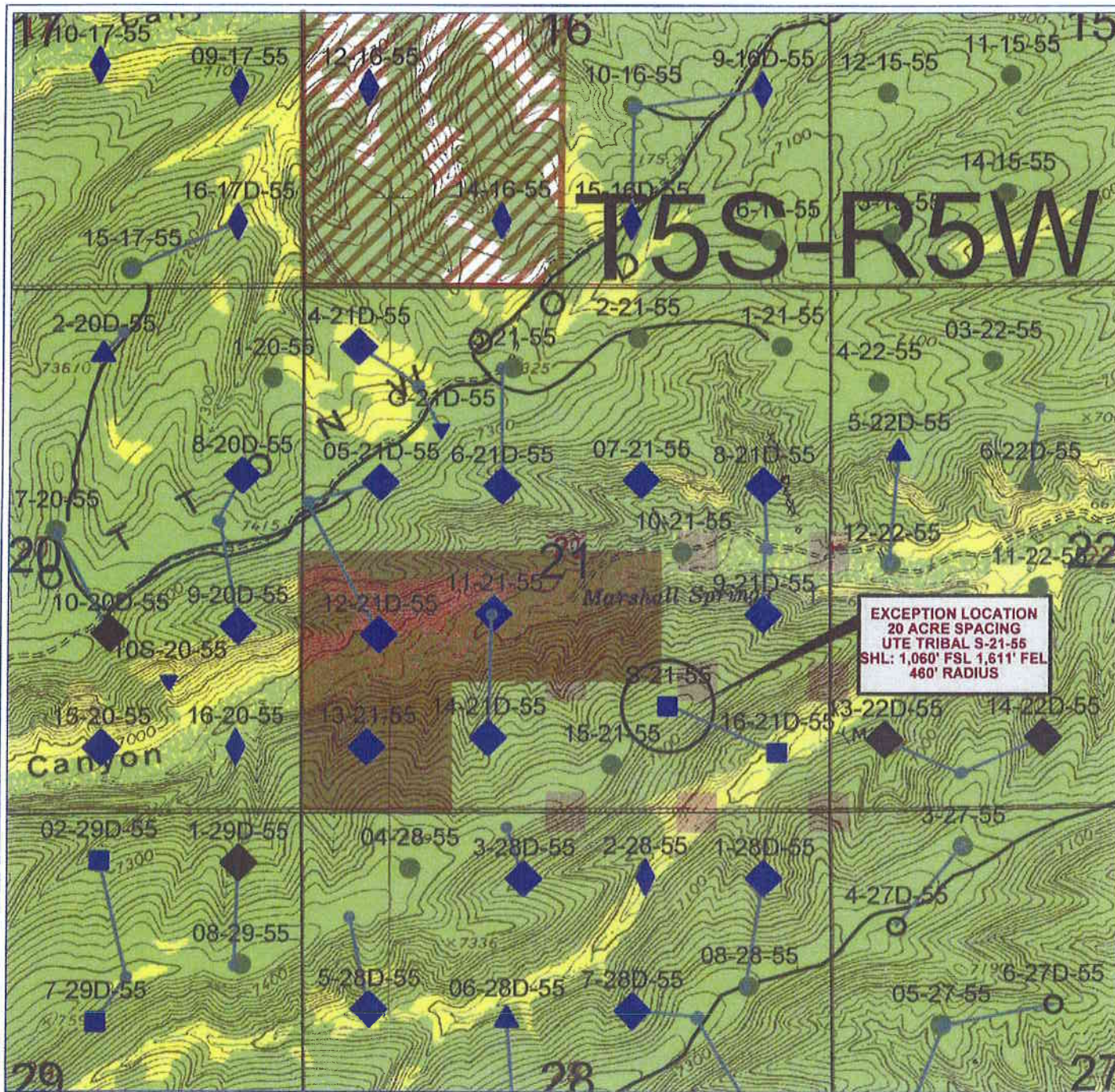
**RECEIVED**

**AUG 20 2007**

**DIV. OF OIL, GAS & MINING**

enclosures





**BERRY PETROLEUM COMPANY**

**Brundage Canyon Project**

**UTE TRIBAL S-21-55**

**Exception Location Plat**

Sec. 21 T5S R5W - Duchesne Co, UT

0 1,432 2,864  
FEET

**WELL SYMBOLS**

- ▲ Approved APD
- ▲ APD W/O BIA
- W/O Onsite
- ◆ Geologic Prognosis Prepared
- ▼ 20 Acre Prog Location
- Oil Well
- Location Only
- ◆ W/O Arch
- ◆ Working on APD

August 1, 2007



T5S, R5W, U.S.B.&M.

# BERRY PETROLEUM COMPANY

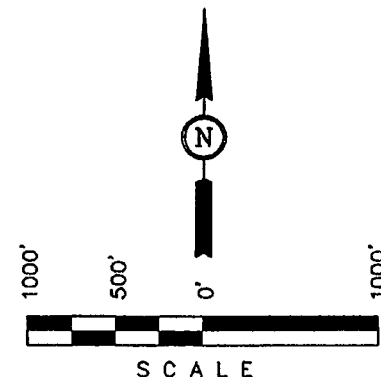
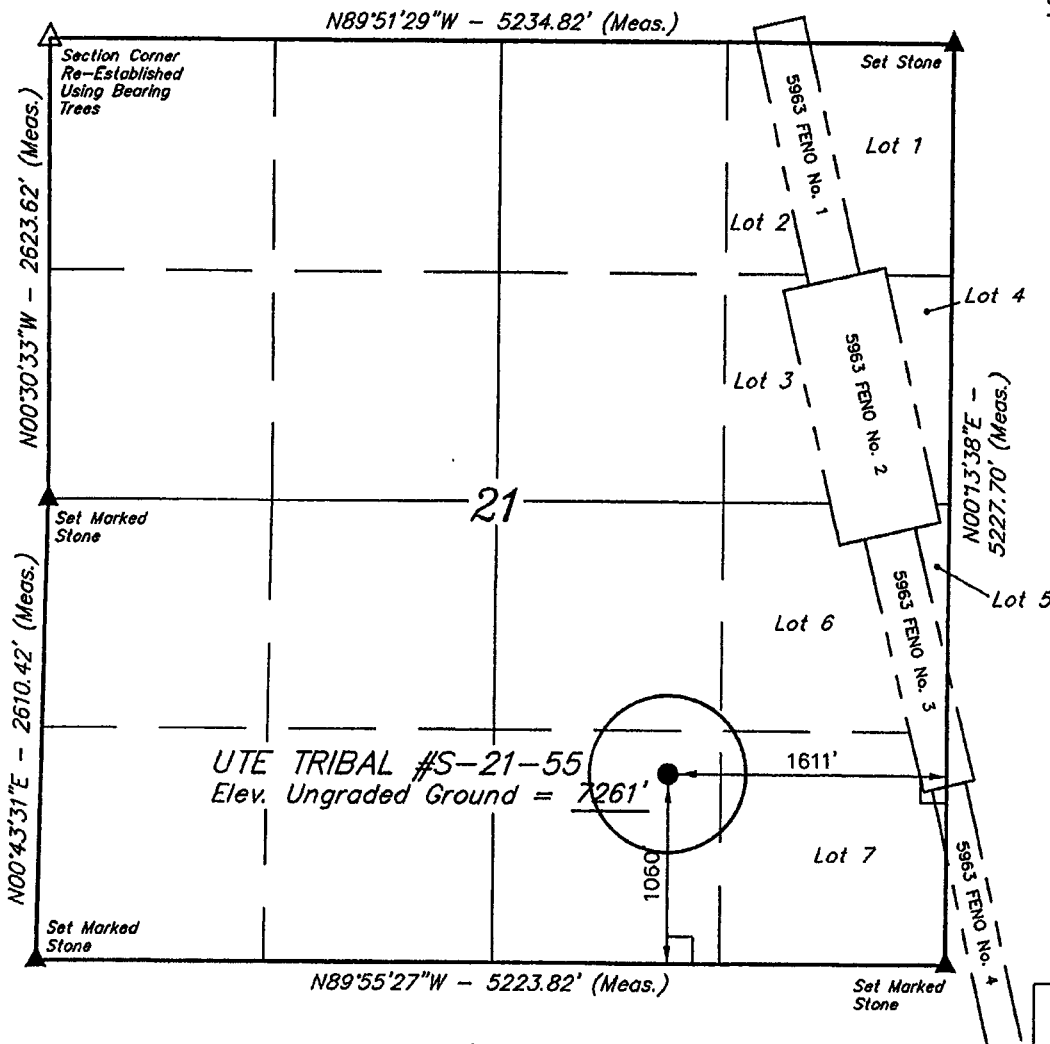
Well location, UTE TRIBAL #S-21-55, located as shown in the SW 1/4 SE 1/4 of Section 21, T5S, R5W, U.S.B.&M., Duchesne County, Utah.

## BASIS OF ELEVATION

BENCH MARK (M67) LOCATED IN THE SW 1/4 OF SECTION 9, T5S, R4W, U.S.B.&M., TAKEN FROM THE DUCHESNE SE QUADRANGLE, UTAH, DUCHESNE COUNTY, 7.5 MINUTE QUAD. (TOPOGRAPHIC MAP) PUBLISHED BY THE UNITED STATES DEPARTMENT OF THE INTERIOR, GEOLOGICAL SURVEY. SAID ELEVATION IS MARKED ON CAP AS BEING 6097 FEET.

## BASIS OF BEARINGS

BASIS OF BEARINGS IS A G.P.S. OBSERVATION.



## CERTIFICATE

THIS IS TO CERTIFY THAT THE ABOVE PLAT WAS PREPARED FROM FIELD NOTES OF ACTUAL SURVEYS MADE BY ME OR UNDER MY SUPERVISION AND THAT THE SAME ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

161319

REGISTERED LAND SURVEYOR

REGISTRATION NO. 161319

STATE OF UTAH

## LEGEND:

└─┘ = 90° SYMBOL

● = PROPOSED WELL HEAD.

▲ = SECTION CORNERS LOCATED.

△ = SECTION CORNERS RE-ESTABLISHED. (Not Set On Ground)

(NAD 83)

LATITUDE = 40°01'39.96" (40.027767)

LONGITUDE = 110°26'55.67" (110.448797)

(NAD 27)

LATITUDE = 40°01'40.10" (40.027806)

LONGITUDE = 110°26'53.12" (110.448089)

## UINTAH ENGINEERING & LAND SURVEYING

85 SOUTH 200 EAST - VERNAL, UTAH 84078

(435) 789-1017

SCALE 1" = 1000'	DATE SURVEYED: 12-20-06	DATE DRAWN: 05-11-07
PARTY S.H. T.P. P.M.	REFERENCES G.L.O. PLAT	
WEATHER COLD	FILE BERRY PETROLEUM COMPANY	



JON M. HUNTSMAN, JR.  
Governor

GARY R. HERBERT  
Lieutenant Governor

# State of Utah

## DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER  
Executive Director

### Division of Oil Gas and Mining

JOHN R. BAZA  
Division Director

August 29, 2007

Berry Petroleum Company  
Rt. 2, Box 7735  
Roosevelt, UT 84066

Re: Ute Tribal S-21-55 Well, 1060' FSL, 1611' FEL, SW SE, Sec. 21, T. 5 South, R. 5 West, Duchesne County, Utah

Gentlemen:

Pursuant to the provisions and requirements of Utah Code Ann. § 40-6-1 *et seq.*, Utah Administrative Code R649-3-1 *et seq.*, and the attached Conditions of Approval, approval to drill the referenced well is granted.

Appropriate information has been submitted to DOGM and administrative approval of the requested exception location is hereby granted.

This approval shall expire one year from the above date unless substantial and continuous operation is underway, or a request for extension is made prior to the expiration date. The API identification number assigned to this well is 43-013-33746.

Sincerely,

Gil Hunt  
Associate Director

pab  
Enclosures

cc: Duchesne County Assessor  
Bureau of Land Management, Vernal Office

Operator: Berry Petroleum Company  
Well Name & Number Ute Tribal S-21-55  
API Number: 43-013-33746  
Lease: 14-20-H62-4825  
  
Location: SW SE                      Sec. 21              T. 5 South                      R. 5 West

### Conditions of Approval

1. General

Compliance with the requirements of Utah Admin. R. 649-1 *et seq.*, the Oil and Gas Conservation General Rules, and the applicable terms and provisions of the approved Application for permit to drill.

2. Notification Requirements

Notify the division within 24 hours of spudding the well.

- Contact Carol Daniels at (801) 538-5284.

Notify the Division prior to commencing operations to plug and abandon the well.

- Contact Dustin Doucet at (801) 538-5281      (801) 733-0983 home

3. Reporting Requirements

All required reports, forms and submittals will be promptly filed with the Division, including but not limited to the Entity Action Form (Form 6), Report of Water Encountered During Drilling (Form 7), Weekly Progress Reports for drilling and completion operations, and Sundry Notices and Reports on Wells requesting approval of change of plans or other operational actions.

4. State approval of this well does not supersede the required federal approval, which must be obtained prior to drilling.

5. This proposed well is located in an area for which drilling units (well spacing patterns) have not been established through an order of the Board of Oil, Gas and Mining (the "Board"). In order to avoid the possibility of waste or injury to correlative rights, the operator is requested, once the well has been drilled, completed, and has produced, to analyze geological and engineering data generated therefrom, as well as any similar data from surrounding areas if available. As soon as is practicable after completion of its analysis, and if the analysis suggests an area larger than the quarter-quarter section upon which the well is located is being drained, the operator is requested to seek an appropriate order from the Board establishing drilling and spacing units in conformance with such analysis by filing a Request for Agency Action with the Board.

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT

RECEIVED  
VERNAL FIELD OFFICE

2007 AUG 17 PM 4:11

FORM APPROVED  
OMB No. 1004-0137  
Expires March 31, 2007

APPLICATION FOR PERMIT TO DRILL OR REENTER

1a. TYPE OF WORK <input checked="" type="checkbox"/> DRILL <input type="checkbox"/> REENTER		5. Lease Serial No. 14-20-H62-4825
1b. Type of Well: <input checked="" type="checkbox"/> Oil well <input type="checkbox"/> Gas well <input type="checkbox"/> Other <input checked="" type="checkbox"/> Single zone <input type="checkbox"/> Multiple zone		6. Indian, Allottee or Tribe Name UTE
2. Name of Operator BERRY PETROLEUM COMPANY		7. Unit or CA Agreement, Name and No. UTU-76965
3a. Address 4000 SOUTH 4028 WEST RT. 2 BOX 7735, ROOSEVELT, UT. 84066		8. Lease Name and Well No. UTE TRIBAL S-21-55
3b. Phone No. (include area code) (435) 722-1325		9. API Well No. 43-013-33746
4. Location of Well (Report location clearly and in accordance with any State requirements.) At surface (SW/SE) 1060' FSL, 1611' FEL At proposed prod. zone SAME AS ABOVE		10. Field and Pool, or Exploratory BRUNDAGE CANYON
11. Sec., T. R. M. or BLK. and Survey or Area SEC. 21, T.5S., R.5W. U.S.B.&M.		12. County or Parish DUCESNE
13. State UTAH		14. Distance in miles and direction from nearest town or post office* 31.1 MILES FROM MYTON, UTAH
15. Distance from proposed* location to nearest property of lease line, ft. (Also to nearest drig. Unit line, if any)	16. No. of acres in lease 640	17. Spacing Unit dedicated to this well 40
18. Distance from proposed* to nearest well, drilling, completed, applied for, on this lease, ft.	19. Proposed Depth 6030'	20. BLM/BIA Bond No. on file UTB000035 / RLB0005750
21. Elevations (Show whether DF, KDB, RT, GR, etc.) 7255' GR	22. Approximate date work will start* REFER TO BPC SOP PLAN	23. Estimated duration REFER TO BPC SOP PLAN

24. Attachments

The following, completed in accordance with the requirements of Onshore Oil and Gas Order No. 1, shall be attached to this form:

- Well plat certified by a registered surveyor.
- A Drilling Plan.
- A Surface Use Plan (if the location is on National Forest System Lands, the SUPO shall be filed with the appropriate Forest Service Office).
- Bond to cover the operations unless covered by an existing bond on file (see item 20 above).
- Operator certification.
- Such other site specific information and/or plans as may be required by the authorized officer.

25. Signature <i>Shelley E. Crozier</i>	Name (Printed/Typed) SHELLEY E. CROZIER	Date 08/13/07
Title REGULATORY & PERMITTING SPECIALIST		
Approved by (Signature) <i>Jerry Kenczka</i>	Name (Printed/Typed) JERRY KENCZKA	Date 10-17-2007
Title Assistant Field Manager Lands & Mineral Resources		

Application approval does not warrant or certify that the applicant holds legal or equitable title to those rights in the subject lease which would entitle the applicant to conduct operations thereon.

Conditions of approval, if any, are attached.

Title 18 U.S.C. Section 1001 and Title 43 U.S.C. Section 1212, make it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious or fraudulent statements or representations as to any matter within its jurisdiction.

\*(Instructions on page 2)

NOTICE OF APPROVAL

CONDITIONS OF APPROVAL ATTACHED

RECEIVED  
OCT 23 2007  
DIV. OF OIL, GAS & MINING



UNITED STATES DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
VERNAL FIELD OFFICE

170 South 500 East

VERNAL, UT 84078

(435) 781-4400



**CONDITIONS OF APPROVAL FOR APPLICATION FOR PERMIT TO DRILL**

Company: Berry Petroleum Company Location: SWSE, Sec. 21, T5S, R5W  
Well No: Ute Tribal S-21-55 Lease No: 14-20-H62-4825  
API No: 43-013-33746 Agreement: N/A

Title	Name	Office Phone Number	Cell Phone Number
Petroleum Engineer:	Matt Baker	(435) 781-4490	(435) 828-4470
Petroleum Engineer:	Michael Lee	(435) 781-4432	(435) 828-7875
Petroleum Engineer:	James Ashley	(435) 781-4470	(435) 828-7874
Petroleum Engineer:	Ryan Angus	(435) 781-4430	(435) 828-7368
Supervisory Petroleum Technician:	Jamie Sparger	(435) 781-4502	(435) 828-3913
NRS/Enviro Scientist:	Paul Buhler	(435) 781-4475	(435) 828-4029
NRS/Enviro Scientist:	Karl Wright	(435) 781-4484	(435) 828-7381
NRS/Enviro Scientist:	Holly Villa	(435) 781-4404	
NRS/Enviro Scientist:		(435) 781-4476	
NRS/Enviro Scientist:	Chuck MacDonald	(435) 781-4441	(435) 828-7481
NRS/Enviro Scientist:	Jannice Cutler	(435) 781-3400	(435) 828-3544
NRS/Enviro Scientist:	Michael Cutler	(435) 781-3401	(435) 828-3546
NRS/Enviro Scientist:	Anna Figueroa	(435) 781-3407	(435) 828-3548
NRS/Enviro Scientist:	Verlyn Pindell	(435) 781-3402	(435) 828-3547
NRS/Enviro Scientist:	Darren Williams	(435) 781-4447	
NRS/Enviro Scientist:	Nathan Packer	(435) 781-3405	(435) 828-3545

Fax: (435) 781-3420

**A COPY OF THESE CONDITIONS SHALL BE FURNISHED TO YOUR  
FIELD REPRESENTATIVE TO INSURE COMPLIANCE**

All lease and/or unit operations are to be conducted in such a manner that full compliance is made with the applicable laws, regulations (43 CFR Part 3160), and this approved Application for Permit to Drill including Surface and Downhole Conditions of Approval. The operator is considered fully responsible for the actions of his subcontractors. A copy of the approved APD must be on location during construction, drilling, and completion operations. **This permit is approved for a two (2) year period, or until lease expiration, whichever occurs first.** An additional extension, up to two (2) years, may be applied for by sundry notice prior to expiration.

**NOTIFICATION REQUIREMENTS**

Construction Activity	- The Ute Tribe Energy & Minerals Dept. shall be notified in writing 48 hours in advance of any construction activity. The Ute Tribal office is open Monday through Thursday.
Construction Completion	- Upon completion of the pertinent APD/ROW construction, notify the Ute Tribe Energy & Minerals Dept. for a Tribal Technician to verify the Affidavit of Completion.
Spud Notice (Notify Petroleum Engineer)	- Twenty-Four (24) hours prior to spudding the well.
Casing String & Cementing (Notify Supv. Petroleum Tech.)	- Twenty-Four (24) hours prior to running casing and cementing all casing strings.
BOP & Related Equipment Tests (Notify Supv. Petroleum Tech.)	- Twenty-Four (24) hours prior to initiating pressure tests.
First Production Notice (Notify Petroleum Engineer)	- Within Five (5) business days after new well begins or production resumes after well has been off production for more than ninety (90) days.

## ***SURFACE USE PROGRAM CONDITIONS OF APPROVAL (COAs)***

### **General Surface COAs**

- If there is an active Gilsonite mining operation within 2 miles of the well location, operator shall notify the Gilsonite operator at least 48 hours prior to any blasting during construction.
- If paleontological materials are uncovered during construction, the operator is to immediately stop work and contact the Authorized Officer AO. A report will be prepared by a BLM permitted paleontologist and submitted to the AO at the completion of surface disturbing activities.

### **Specific Surface COAs**

- 1) Paint tanks Desert Tan.
  - 2) Install containment berm.
- A 30' foot corridor right-of-way shall be approved. Upon completion of each pipeline in corridor, they shall be identified and filed with the Ute Tribe.
  - A qualified Archaeologist accompanied by a Tribal Technician will monitor trenching construction of pipeline.
  - The Ute Tribe Energy & Minerals Department is to be notified, in writing 48 hours prior to construction of pipeline.
  - Construction Notice shall be given to the department on the Ute Tribe workdays, which are Monday through Thursday. The Company understands that they may be responsible for costs incurred by the Ute Tribe after hours.
  - The Company shall inform contractors to maintain construction of pipelines within the approved ROWs.
  - The Company shall assure the Ute Tribe that "ALL CONTRACTORS, INCLUDING SUB-CONTRACTORS, LEASING CONTRACTORS, AND ETC." have acquired a current and valid Ute Tribal Business License and have "Access Permits" prior to construction, and will have these permits in all vehicles at all times.
  - You are hereby notified that working under the "umbrella" of a company does not allow you to be in the field, and can be subject to those fines of the Ute Tribe Severance Tax Ordinance.
  - Any deviation of submitted APDs and ROW applications the Companies will notify the Ute Tribe and BIA in writing and will receive written authorization of any such change with appropriate authorization.
  - The Company will implement "Safety and Emergency Plan." The Company's safety director will ensure its compliance.
  - All Company employees and/or authorized personnel (sub-contractors) in the field will have approved applicable APDs and/or ROW permits/authorizations on their person(s) during all phases of construction.
  - All vehicular traffic, personnel movement, construction/restoration operations shall be confined to the area examined and approved, and to the existing roadways and/or evaluated access routes.
  - All personnel shall refrain from collecting artifacts, any paleontological fossils, and from disturbing any significant cultural resources in the area.

- The personnel from the Ute Tribe Energy & Minerals Department shall be notified shall cultural remains from subsurface deposits be exposed or identified during construction. All construction will cease.
- All mitigative stipulations contained in the Bureau of Indian Affairs Site Specific Environmental Assessment (EA) will be strictly adhered.
- Upon completion of Application for Corridor Right-Way, the company will notify the Ute Tribe Energy & Minerals Department, so that a Tribal Technician can verify Affidavit of Completion.



## **DOWNHOLE CONDITIONS OF APPROVAL**

### **SITE SPECIFIC DOWNHOLE CONDITIONS OF APPROVAL**

- None

**All provisions outlined in Onshore Oil & Gas Order #2 Drilling Operations shall be strictly adhered to.** The following items are emphasized:

### **DRILLING/COMPLETION/PRODUCING OPERATING STANDARDS**

- The spud date and time shall be reported orally to Vernal Field Office within 24 hours of spudding.
- Notify Vernal Field Office Supervisory Petroleum Engineering Technician at least 24 hours in advance of casing cementing operations and BOPE & casing pressure tests.
- Blowout prevention equipment BOPE shall remain in use until the well is completed or abandoned. Closing unit controls shall remain unobstructed and readily accessible at all times. Choke manifolds shall be located outside of the rig substructure.
- All BOPE components shall be inspected daily and those inspections shall be recorded in the daily drilling report. Components shall be operated and tested as required by Onshore Oil & Gas Order No. 2 to insure good mechanical working order. All BOPE pressure tests shall be performed by a test pump with a chart recorder and **NOT** by the rig pumps. Test shall be reported in the driller's log.
- BOP drills shall be initially conducted by each drilling crew within 24 hours of drilling out from under the surface casing and weekly thereafter as specified in Onshore Oil & Gas Order No. 2.
- Casing pressure tests are required before drilling out from under all casing strings set and cemented in place.
- No aggressive/fresh hard-banded drill pipe shall be used within casing.
- **Cement baskets shall not be run on surface casing.**
- The operator must report all shows of water or water-bearing sands to the BLM. If flowing water is encountered it must be sampled, analyzed, and a copy of the analyses submitted to the BLM Vernal Field Office.
- The operator must report encounters of all non oil & gas mineral resources such as Gilsonite, tar sands, oil shale, trona, etc. to the Vernal Field Office, in writing, within 5 working days of each encounter. Each report shall include the well name/number, well location, date and depth from KB or GL of encounter, vertical footage of the encounter and, the name of the person making the report along with a telephone number should the BLM need to obtain additional information.
- A complete set of angular deviation and directional surveys of a directional well will be submitted to the Vernal BLM office engineer within 30 days of the completion of the well.
- Chronologic drilling progress reports shall be filed directly with the BLM, Vernal Field Office

on a weekly basis in sundry, letter format or e-mail to the Petroleum Engineers until the well is completed.

- A cement bond log CBL will be run from the production casing shoe to the top of cement and shall be utilized to determine the bond quality for the production casing. Submit a field copy of the CBL to this office.
- **Please submit an electronic copy of all other logs run on this well in LAS format to UT\_VN\_Welllogs@BLM.gov. This submission will supersede the requirement for submittal of paper logs to the BLM.**
- There shall be no deviation from the proposed drilling, completion, and/or workover program as approved. Safe drilling and operating practices must be observed. Any changes in operation must have prior approval from the BLM Vernal Field Office.

## OPERATING REQUIREMENT REMINDERS:

- All wells, whether drilling, producing, suspended, or abandoned, shall be identified in accordance with 43 CFR 3162.6. There shall be a sign or marker with the name of the operator, lease serial number, well number, and surveyed description of the well.
- In accordance with 43 CFR 3162.4-3, this well shall be reported on the "Monthly Report of Operations" Oil and Gas Operations Report OGOR starting with the month in which operations commence and continue each month until the well is physically plugged and abandoned. This report shall be filed in duplicate, directly with the Minerals Management Service, P.O. Box 17110, Denver, Colorado 80217-0110, or call 1-800-525-7922 303 231-3650 for reporting information.
- Should the well be successfully completed for production, the BLM Vernal Field office must be notified when it is placed in a producing status. Such notification will be by written communication and must be received in this office by not later than the fifth business day following the date on which the well is placed on production. The notification shall provide, as a minimum, the following informational items:
  - Operator name, address, and telephone number.
  - Well name and number.
  - Well location ¼¼, Sec., Twn, Rng, and P.M..
  - Date well was placed in a producing status date of first production for which royalty will be paid.
  - The nature of the well's production, i.e., crude oil, or crude oil and casing head gas, or natural gas and entrained liquid hydrocarbons.
  - The Federal or Indian lease prefix and number on which the well is located; otherwise the non-Federal or non-Indian land category, i.e., State or private.
  - Unit agreement and/or participating area name and number, if applicable.
  - Communitization agreement number, if applicable.
- Any venting or flaring of gas shall be done in accordance with Notice to Lessees NTL 4A and needs prior approval from the BLM Vernal Field Office.
- All undesirable events fires, accidents, blowouts, spills, discharges as specified in NTL 3A will be reported to the BLM, Vernal Field Office. Major events, as defined in NTL3A, shall be reported verbally within 24 hours, followed by a written report within 15 days. "Other than Major Events" will be reported in writing within 15 days. "Minor Events" will be reported on the Monthly Report of Operations and Production.
- Whether the well is completed as a dry hole or as a producer, "Well Completion and Recompletion Report and Log" BLM Form 3160-4 shall be submitted not later than 30 days after completion of the well or after completion of operations being performed, in accordance with 43 CFR 3162.4-1. Two copies of all logs run, core descriptions, and all other surveys or data obtained and compiled during the drilling, workover, and/or completion operations, shall be filed on BLM Form 3160-4. Submit with the well completion report a geologic report

including, at a minimum, formation tops, and a summary and conclusions. Also include deviation surveys, sample descriptions, strip logs, core data, drill stem test data, and results of production tests if performed. Samples cuttings, fluid, and/or gas shall be submitted only when requested by the BLM, Vernal Field Office.

- All off-lease storage, off-lease measurement, or commingling on-lease or off-lease, shall have prior written approval from the BLM Vernal Field Office.
- Oil and gas meters shall be calibrated in place prior to any deliveries. The BLM Vernal Field Office Petroleum Engineers will be provided with a date and time for the initial meter calibration and all future meter proving schedules. A copy of the meter calibration reports shall be submitted to the BLM Vernal Field Office. All measurement facilities will conform to the API standards for liquid hydrocarbons and the AGA standards for natural gas measurement. All measurement points shall be identified as the point of sale or allocation for royalty purposes.
- A schematic facilities diagram as required by Onshore Oil & Gas Order No. 3 shall be submitted to the BLM Vernal Field Office within 30 days of installation or first production, whichever occurs first. All site security regulations as specified in Onshore Oil & Gas Order No. 3 shall be adhered to. All product lines entering and leaving hydrocarbon storage tanks will be effectively sealed in accordance with Onshore Oil & Gas Order No. 3.
- Any additional construction, reconstruction, or alterations of facilities, including roads, gathering lines, batteries, etc., which will result in the disturbance of new ground, shall require the filing of a suitable plan and need prior approval of the BLM Vernal Field Office. Emergency approval may be obtained orally, but such approval does not waive the written report requirement.
- No location shall be constructed or moved, no well shall be plugged, and no drilling or workover equipment shall be removed from a well to be placed in a suspended status without prior approval of the BLM Vernal Field Office. If operations are to be suspended for more than 30 days, prior approval of the BLM Vernal Field Office shall be obtained and notification given before resumption of operations.
- Pursuant to Onshore Oil & Gas Order No. 7, this is authorization for pit disposal of water produced from this well for a period of 90 days from the date of initial production. A permanent disposal method must be approved by this office and in operation prior to the end of this 90-day period. In order to meet this deadline, an application for the proposed permanent disposal method shall be submitted along with any necessary water analyses, as soon as possible, but no later than 45 days after the date of first production. Any method of disposal which has not been approved prior to the end of the authorized 90-day period will be considered as an Incident of Noncompliance and will be grounds for issuing a shut-in order until an acceptable manner for disposing of said water is provided and approved by this office.
- Unless the plugging is to take place immediately upon receipt of oral approval, the Field Office Petroleum Engineers must be notified at least 24 hours in advance of the plugging of the well, in order that a representative may witness plugging operations. If a well is suspended or abandoned, all pits must be fenced immediately until they are backfilled. The "Subsequent Report of Abandonment" Form BLM 3160-5 must be submitted within 30 days after the actual plugging of the well bore, showing location of plugs, amount of cement in each, and amount of casing left in hole, and the current status of the surface restoration.

**STATE OF UTAH  
DIVISION OF OIL, GAS, AND MINING**

**SUNDRY NOTICES AND REPORTS ON WELLS**

Do not use this form for proposals to drill new wells, deepen existing wells, or to re-enter plugged and abandoned wells.  
Use APPLICATION FOR PERMIT TO DRILL OR DEEPEN form for such proposals.

1. Type of Well:    OIL <input checked="" type="checkbox"/> GAS <input type="checkbox"/> OTHER: _____ 2. Name of Operator: <b>BERRY PETROLEUM COMPANY</b> 3. Address and Telephone Number: <b>4000 SOUTH 4028 WEST, RT. 2 BOX 7735    ROOSEVELT, UTAH 84066    (435) 722-1325</b> 4. Location of Well: Footages: <b>1060' FSL, 1611' FEL</b> QQ, Sec., T., R., M.: <b>SW/SE SEC. 21, T5S, R5W USB&amp;M</b>	5. Lease Designation and Serial Number: <b>14-20-H62-4825</b> 6. If Indian, Allottee or Tribe Name: <b>UTE TRIBE</b> 7. Unit Agreement Name: _____ 8. Well Name and Number: <b>UTE TRIBAL S-21-55</b> 9. API Well Number: <b>43-013-33746</b> 10. Field and Pool, or Wildcat: <b>BRUNDAGE CANYON</b> County: <b>DUCHESNE,</b> State: <b>UTAH</b>
--	---

**11. CHECK APPROPRIATE BOXES TO INDICATE NATURE OF NOTICE, REPORT, OR OTHER DATA**

**NOTICE OF INTENT**  
(Submit in Duplicate)

- |  |  |
|--|--|
| <input type="checkbox"/> Abandon<br><input type="checkbox"/> Repair Casing<br><input type="checkbox"/> Change of Plans<br><input type="checkbox"/> Convert to Injection<br><input type="checkbox"/> Fracture Treat or Acidize<br><input type="checkbox"/> Multiple Completion<br><input checked="" type="checkbox"/> Other <u>ONE YEAR EXTENSION</u> | <input type="checkbox"/> New Construction<br><input type="checkbox"/> Pull or Alter Casing<br><input type="checkbox"/> Recomplete<br><input type="checkbox"/> Reperforate<br><input type="checkbox"/> Vent or Flare<br><input type="checkbox"/> Water Shut-Off |
|--|--|

Approximate date work will start \_\_\_\_\_

**SUBSEQUENT REPORT**  
(Submit Original Form Only)

- |   |   |
|---|---|
| <input type="checkbox"/> Abandon<br><input type="checkbox"/> Repair Casing<br><input type="checkbox"/> Change of Plans<br><input type="checkbox"/> Convert to Injection<br><input type="checkbox"/> Fracture Treat or Acidize<br><input type="checkbox"/> Other _____ | <input type="checkbox"/> New Construction<br><input type="checkbox"/> Pull or Alter Casing<br><input type="checkbox"/> Reperforate<br><input type="checkbox"/> Vent or Flare<br><input type="checkbox"/> Water Shut-Off |
|---|---|

Date of work completion \_\_\_\_\_

Report results of Multiple Completions and Recompletions to different reservoirs on WELL COMPLETION OR RECOMPLETION REPORT AND LOG form.

\* Must be accompanied by a cement verification report.

**12. DESCRIBE PROPOSED OR COMPLETED OPERATIONS (Clearly state all pertinent details, and give pertinent dates. If well is directionally drilled, give subsurface locations and measured and true vertical depths for all markers and zones pertinent to this work.)**

**BERRY PETROEUM COMPANY RESPECTFULLY REQUESTS THAT THE APPROVED APPLICATION  
TO DRILL FOR THE ABOVE SUBJECT WELL BE EXTENDED FOR A PERIOD OF ONE (1) YEAR.**

STATE BOND #RLB0005651

**Approved by the  
Utah Division of  
Oil, Gas and Mining**

Date: 08-26-08  
By: [Signature]

13

Name & Signature: SHELLEY E. CROZIER [Signature] Title: REGULATORY & PERMITTING SPECIALIST Date: 08/21/08

(This space for Federal or State office use)

**COPY SENT TO OPERATOR**

Date: 8-27-2008

Initials: KS

(4/94)

(See instructions on reverse Side)

**RECEIVED**

**AUG 25 2008**

**DIV. OF OIL, GAS & MINING**

**Application for Permit to Drill  
Request for Permit Extension  
Validation**

(this form should accompany the Sundry Notice requesting permit extension)

**API:** 43-013-33746  
**Well Name:** UTE TRIBAL S-21-55  
**Location:** (SW/SE) 1060' FSL, 1611' FEL, SEC. 21-T5S-R5W  
**Company Permit Issued to:** BERRY PETROLEUM COMPANY  
**Date Original Permit Issued:** 8/29/2007

The undersigned as owner with legal rights to drill on the property as permitted above, hereby verifies that the information as submitted in the previously approved application to drill, remains valid and does not require revision.

Following is a checklist of some items related to the application, which should be verified.

If located on private land, has the ownership changed, if so, has the surface agreement been updated? Yes ☐ No ☒

Have any wells been drilled in the vicinity of the proposed well which would affect the spacing or siting requirements for this location? Yes ☐ No ☒

Has there been any unit or other agreements put in place that could affect the permitting or operation of this proposed well? Yes ☐ No ☒

Have there been any changes to the access route including ownership, or right-of-way, which could affect the proposed location? Yes ☐ No ☒

Has the approved source of water for drilling changed? Yes ☐ No ☒

Have there been any physical changes to the surface location or access route which will require a change in plans from what was discussed at the onsite evaluation? Yes ☐ No ☒

Is bonding still in place, which covers this proposed well? Yes ☒ No ☐

Shelley Crozier  
Signature

8/20/2008  
Date

Title: Regulatory & Permitting Specialist

Representing: Berry Petroleum Company

**RECEIVED**  
**AUG 25 2008**  
DIV. OF OIL, GAS & MINING

STATE OF UTAH  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

FORM 9

**SUNDRY NOTICES AND REPORTS ON WELLS**

Do not use this form for proposals to drill new wells, significantly deepen existing wells below current bottom-hole depth, reenter plugged wells, or to drill horizontal laterals. Use APPLICATION FOR PERMIT TO DRILL form for such proposals.

1. TYPE OF WELL OIL WELL ☒ GAS WELL ☐ OTHER \_\_\_\_\_

2. NAME OF OPERATOR:  
BERRY PETROLEUM COMPANY

3. ADDRESS OF OPERATOR:  
4000 S. 4028 W. CITY Roosevelt STATE UT ZIP 84066

PHONE NUMBER:  
(435) 722-1325

4. LOCATION OF WELL

FOOTAGES AT SURFACE: 1060' FSL, 1611' FEL

COUNTY: DUCHESNE

QTR/QTR, SECTION, TOWNSHIP, RANGE, MERIDIAN: SWSE 21 T5S R5W

STATE: UTAH

5. LEASE DESIGNATION AND SERIAL NUMBER:  
14-20-H62-4825

6. IF INDIAN, ALLOTTEE OR TRIBE NAME:  
UTE

7. UNIT or CA AGREEMENT NAME:

8. WELL NAME and NUMBER:  
UTE TRIBAL S-21-55

9. API NUMBER:  
4301333746

10. FIELD AND POOL, OR WILDCAT:  
BRUNDAGE CANYON

11. CHECK APPROPRIATE BOXES TO INDICATE NATURE OF NOTICE, REPORT, OR OTHER DATA

TYPE OF SUBMISSION	TYPE OF ACTION		
<input checked="" type="checkbox"/> NOTICE OF INTENT (Submit in Duplicate) Approximate date work will start: _____	<input type="checkbox"/> ACIDIZE	<input type="checkbox"/> DEEPEN	<input type="checkbox"/> REPERFORATE CURRENT FORMATION
	<input type="checkbox"/> ALTER CASING	<input type="checkbox"/> FRACTURE TREAT	<input type="checkbox"/> SIDETRACK TO REPAIR WELL
	<input type="checkbox"/> CASING REPAIR	<input type="checkbox"/> NEW CONSTRUCTION	<input type="checkbox"/> TEMPORARILY ABANDON
	<input type="checkbox"/> CHANGE TO PREVIOUS PLANS	<input type="checkbox"/> OPERATOR CHANGE	<input type="checkbox"/> TUBING REPAIR
	<input type="checkbox"/> CHANGE TUBING	<input type="checkbox"/> PLUG AND ABANDON	<input type="checkbox"/> VENT OR FLARE
<input type="checkbox"/> SUBSEQUENT REPORT (Submit Original Form Only) Date of work completion: _____	<input type="checkbox"/> CHANGE WELL NAME	<input type="checkbox"/> PLUG BACK	<input type="checkbox"/> WATER DISPOSAL
	<input type="checkbox"/> CHANGE WELL STATUS	<input type="checkbox"/> PRODUCTION (START/RESUME)	<input type="checkbox"/> WATER SHUT-OFF
	<input type="checkbox"/> COMMINGLE PRODUCING FORMATIONS	<input type="checkbox"/> RECLAMATION OF WELL SITE	<input checked="" type="checkbox"/> OTHER: 1 YR. EXTENSION
	<input type="checkbox"/> CONVERT WELL TYPE	<input type="checkbox"/> RECOMPLETE - DIFFERENT FORMATION	

12. DESCRIBE PROPOSED OR COMPLETED OPERATIONS. Clearly show all pertinent details including dates, depths, volumes, etc.

BERRY PETROLEUM COMPANY RESPECTFULLY REQUESTS THAT THE APPROVED APPLICATION TO DRILL FOR THE ABOVE SUBJECT WELL BE EXTENDED FOR A PERIOD OF ONE (1) YEAR.

Approved by the  
Utah Division of  
Oil, Gas and Mining

STATE BOND #RLB0005651

Date: 08-12-09  
By: [Signature]

COPY SENT TO OPERATOR

Date: 8-12-2009

Initials: KS

NAME (PLEASE PRINT) SHELLEY E. CROZIER

TITLE REGULATORY & PERMITTING SPECIALIST

SIGNATURE

[Signature: Shelley E. Crozier]

DATE

8/6/2009

(This space for State use only)

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AUG 11 2009

**Application for Permit to Drill  
Request for Permit Extension  
Validation**

(this form should accompany the Sundry Notice requesting permit extension)

**API:** 43-013-33746  
**Well Name:** UTE TRIBAL S-21-55  
**Location:** (SW/SE) 1060' FSL, 1611' FEL, SEC. 21-T5S-R5W  
**Company Permit Issued to:** BERRY PETROLEUM COMPANY  
**Date Original Permit Issued:** 8/29/2007

The undersigned as owner with legal rights to drill on the property as permitted above, hereby verifies that the information as submitted in the previously approved application to drill, remains valid and does not require revision.

Following is a checklist of some items related to the application, which should be verified.

If located on private land, has the ownership changed, if so, has the surface agreement been updated? Yes ☐ No ☒

Have any wells been drilled in the vicinity of the proposed well which would affect the spacing or siting requirements for this location? Yes ☐ No ☒

Has there been any unit or other agreements put in place that could affect the permitting or operation of this proposed well? Yes ☐ No ☒

Have there been any changes to the access route including ownership, or right-of-way, which could affect the proposed location? Yes ☐ No ☒

Has the approved source of water for drilling changed? Yes ☐ No ☒

Have there been any physical changes to the surface location or access route which will require a change in plans from what was discussed at the onsite evaluation? Yes ☐ No ☒

Is bonding still in place, which covers this proposed well? Yes ☒ No ☐

Shelley E. Crozier  
Signature

8/6/2009  
Date

**Title:** Regulatory & Permitting Specialist

**Representing:** Berry Petroleum Company

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**AUG 11 2009**

**DIV. OF OIL, GAS & MINING**





# United States Department of the Interior

## BUREAU OF LAND MANAGEMENT

Green River District-Vernal Field Office

170 South 500 East

Vernal, UT 84078

(435) 781-4400 Fax: (435) 781-4410

<http://www.blm.gov/ut/st/en/fo/vernal.html>



IN REPLY REFER TO:

3160

UTG011

April 1, 2010

Kathy K. Fieldsted  
Berry Petroleum Company  
Route 2, Box 7735  
Roosevelt, UT 84066

43-013-33746

Re: Notice of Expiration  
Well No. Ute Tribal S-21-55  
SWSE, Sec. 21, T5S, R5W  
Duchesne County, Utah  
Lease No. 14-20-H62-4825  
Agreement: CA UTU76965

Dear Ms. Fieldsted:

The original Application for Permit to Drill (APD) for the above referenced well was approved on October 17, 2007. No extension of the original APD was requested. According to our records, no known activity has transpired at the approved location. In view of the foregoing, this office is notifying you that the approval of the referenced application has expired. If you intend to drill at this location in the future, a new Application for Permit to Drill must be submitted.

This office requires a letter confirming that no surface disturbance has been made for this drill site. Any surface disturbance associated with the approved location of this well is to be rehabilitated. A schedule for this rehabilitation must be submitted to this office. Your cooperation in this matter is appreciated.

If you have any questions regarding this matter, please contact me at (435) 781-4455.

Sincerely,

*Cindy Severson*

Cindy Severson  
Land Law Examiner

cc: UDOGM  
BIA  
Ute Tribe

RECEIVED

APR 06 2010

DIV. OF OIL, GAS & MINING



GARY R. HERBERT  
Governor

GREG BELL  
Lieutenant Governor

# State of Utah

## DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER  
Executive Director

### Division of Oil, Gas and Mining

JOHN R. BAZA  
Division Director

October 21, 2010

Kathy Fieldsted  
Berry Petroleum Company  
Rt. 2, Box 7735  
Roosevelt, UT 84066

Re: APD Rescinded – Ute Tribal S-21-55, Sec. 21, T. 5S, R. 5W  
Duchesne County, Utah API No. 43-013-33746

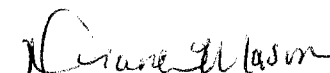
Dear Ms. Fieldsted:

The Application for Permit to Drill (APD) for the subject well was approved by the Division of Oil, Gas and Mining (Division) on August 29, 2007. On August 26, 2008, and August 12, 2009 the Division granted a one-year APD extension. On October 21, 2010, you requested that the division rescind the state approved APD. No drilling activity at this location has been reported to the division. Therefore, approval to drill the well is hereby rescinded, effective October 21, 2010.

A new APD must be filed with this office for approval prior to the commencement of any future work on the subject location.

If any previously unreported operations have been performed on this well location, it is imperative that you notify the Division immediately.

Sincerely,

  
Diana Mason  
Environmental Scientist

cc: Well File  
Bureau of Land Management, Vernal

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT

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APR 09 2010

DUPLICATE  
UDOGM

FORM APPROVED  
OMB NO. 1004-0135  
Expires: July 31, 2010

**SUNDRY NOTICES AND REPORTS ON WELLS**  
*Do not use this form for proposals to drill or to re-enter an abandoned well. Use form 3160-3 (APD) for such proposals.*

BLM

**SUBMIT IN TRIPLICATE - Other instructions on reverse side.**

1. Type of Well <input checked="" type="checkbox"/> Oil Well <input type="checkbox"/> Gas Well <input type="checkbox"/> Other		5. Lease Serial No. 1420H624825
2. Name of Operator BERRY PETROLEUM COMPANY		6. If Indian, Allottee or Tribe Name UINTAH AND OURAY
Contact: KATHY K FIELDSTED E-Mail: kkf@bry.com		7. If Unit or CA/Agreement, Name and/or No. UTU76965
3a. Address ROUTE 2, BOX 7735 ROOSEVELT, UT 84066	3b. Phone No. (include area code) Ph: 435-722-1325 Fx: 435-722-1321	8. Well Name and No. UTE TRIBAL S-21-55
4. Location of Well (Footage, Sec., T., R., M., or Survey Description) Sec 21 T5S R5W SWSE 1060FSL 1611FEL		9. API Well No. 43-013-33746-00-X1
		10. Field and Pool, or Exploratory BRUNDAGE CANYON
		11. County or Parish, and State DUCHESNE COUNTY, UT

12. CHECK APPROPRIATE BOX(ES) TO INDICATE NATURE OF NOTICE, REPORT, OR OTHER DATA

TYPE OF SUBMISSION	TYPE OF ACTION			
<input type="checkbox"/> Notice of Intent	<input type="checkbox"/> Acidize	<input type="checkbox"/> Deepen	<input type="checkbox"/> Production (Start/Resume)	<input type="checkbox"/> Water Shut-Off
<input checked="" type="checkbox"/> Subsequent Report	<input type="checkbox"/> Alter Casing	<input type="checkbox"/> Fracture Treat	<input checked="" type="checkbox"/> Reclamation	<input type="checkbox"/> Well Integrity
<input type="checkbox"/> Final Abandonment Notice	<input type="checkbox"/> Casing Repair	<input type="checkbox"/> New Construction	<input type="checkbox"/> Recomplete	<input type="checkbox"/> Other
	<input type="checkbox"/> Change Plans	<input type="checkbox"/> Plug and Abandon	<input type="checkbox"/> Temporarily Abandon	
	<input type="checkbox"/> Convert to Injection	<input type="checkbox"/> Plug Back	<input type="checkbox"/> Water Disposal	

13. Describe Proposed or Completed Operation (clearly state all pertinent details, including estimated starting date of any proposed work and approximate duration thereof. If the proposal is to deepen directionally or recompleat horizontally, give subsurface locations and measured and true vertical depths of all pertinent markers and zones. Attach the Bond under which the work will be performed or provide the Bond No. on file with BLM/BIA. Required subsequent reports shall be filed within 30 days following completion of the involved operations. If the operation results in a multiple completion or recompleat in a new interval, a Form 3160-4 shall be filed once testing has been completed. Final Abandonment Notices shall be filed only after all requirements, including reclamation, have been completed, and the operator has determined that the site is ready for final inspection.)

THERE HAS BEEN NO SURFACE DISTURBANCE FOR THE ABOVE REFERENCED WELL SITE.

RECEIVED

APR 04 2016

DIV. OF OIL, GAS & MINING

VERNAL FIELD OFFICE

ENG. \_\_\_\_\_

GEOL. \_\_\_\_\_

E.S. 3/4/16

PET. \_\_\_\_\_

RECL. \_\_\_\_\_

14. I hereby certify that the foregoing is true and correct. Electronic Submission #84488 verified by the BLM Well Information System For BERRY PETROLEUM COMPANY, sent to the Vernal Committed to AFMSS for processing by GAIL JENKINS on 04/09/2010 (10GJ1365SE)	
Name (Printed/Typed) KATHY K FIELDSTED	Title REGULATORY & PERMITTING TECH
Signature (Electronic Submission)	Date 04/09/2010

THIS SPACE FOR FEDERAL OR STATE OFFICE USE

Approved By <b>DENIED</b>	Title Assistant Field Manager Lands & Mineral Resources	Date MAR 04 2016
Conditions of approval, if any, are attached. Approval of this notice does not warrant or certify that the applicant holds legal or equitable title to those rights in the subject lease which would entitle the applicant to conduct operations thereon.		Office VERNAL FIELD OFFICE

Title 18 U.S.C. Section 1001 and Title 43 U.S.C. Section 1212, make it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious or fraudulent statements or representations as to any matter within its jurisdiction.

\*\* BLM REVISED \*\* BLM REVISED \*\* BLM REVISED \*\* BLM REVISED \*\* BLM REVISED \*\*

# **Revisions to Operator-Submitted EC Data for Sundry Notice #84488**

	<b>Operator Submitted</b>	<b>BLM Revised (AFMSS)</b>
Sundry Type:	OTHER SR	RECL SR
Lease:	1420H624825	1420H624825
Agreement:		UTU76965
Operator:	BERRY PETROLEUM ROUTE 2 BOX 7735 4000 SO 4028 WEST ROOSEVELT, UT 84066 Ph: 435-722-1325	BERRY PETROLEUM COMPANY ROUTE 2, BOX 7735 ROOSEVELT, UT 84066 Ph: 435.722.1325 Fx: 435.722.1321
Admin Contact:	KATHY K FIELDSTED SR. REGULATORY & PERMITTING TE E-Mail: kkf@bry.com Cell: 435-823-1920 Ph: 435-722-1325 Fx: 435-722-1321	KATHY K FIELDSTED REGULATORY & PERMITTING TECH E-Mail: kkf@bry.com Cell: 435-823-1920 Ph: 435-722-1325 Fx: 435-722-1321
Tech Contact:	KATHY K FIELDSTED SR. REGULATORY & PERMITTING TE E-Mail: kkf@bry.com Cell: 435-823-1920 Ph: 435-722-1325 Fx: 435-722-1321	KATHY K FIELDSTED REGULATORY & PERMITTING TECH E-Mail: kkf@bry.com Cell: 435-823-1920 Ph: 435-722-1325 Fx: 435-722-1321
Location:		
State:	UT	UT
County:	DUCHESNE	DUCHESNE
Field/Pool:	BRUNDAGE CANYON	BRUNDAGE CANYON
Well/Facility:	UTE TRIBAL S-21-55 Sec 21 T5S R5W SWSE	UTE TRIBAL S-21-55 Sec 21 T5S R5W SWSE 1060FSL 1611FEL